

MANUAL FOR  
INTERPRETERS DELIVERING  
SERVICES BY TELEPHONE TO  
COURT PROCEEDINGS AND  
COURT SUPPORT SERVICES

(See Directive #14-01)

Approved by the Judicial Council April 24, 2001

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## BACKGROUND

The Judiciary has systematically amassed extensive experience with telephone interpreting, in accordance with the requests may be Judge Richard J. Williams, first when he served as Assignment Judge of the Atlantic/Cape May Vicinage and second when he became Administrative Director of the Courts. This includes experience using two vendors of telephone interpreting services (Language Line Services and Quantum) and with using court staff.

### Using Vendors

The Atlantic/Cape May Vicinage has experience using Quantum, based in Philadelphia. The Bergen Vicinage and the Hudson Vicinage CJP Court, as well as a growing number of municipal courts, have used AT&T Language Line Service, based in California, for several years. More recently the Bergen Vicinage participated in a project sponsored by the National Center for State Courts in which AT&T Language Line Service (which has since separated from AT&T and become merely "Language Line Service"; hereinafter "LLS") agreed to create a special group of certified court interpreters in four languages and provide services only from that appropriately credential group of interpreters, a deviation from that company's normal practice which included using many interpreters who did not have certification as court interpreters. The Ocean and Mercer Vicinages have more recently begun using LLS. Although historically neither LLS nor Quantum has guaranteed that they would use "qualified" interpreters, LLS created a Court Division in August 1999 and began offering court-"certified" interpreters for Spanish. They are also developing training and testing specific to court interpreting for other languages, but cannot yet guarantee the availability of a "certified" Spanish interpreter.

### Using Court Staff

A pilot test guided by the AOC was conducted from 1995-1997 in which staff interpreters in the Essex and Hudson vicinages provided telephone interpreting upon request to the Superior Court in Atlantic and Cape May Counties and the Atlantic City Municipal Court. The project identified the key impediments to an effective service and concluded that telephone court interpreting can be delivered effectively and efficiently when four conditions are met: the equipment at both ends of the link-up is suitable; the process includes a number of controls to compensate for the interpreter's physical absence; the proceedings are relatively short; and the service can be made available for confidential attorney-client communications.<sup>1</sup>

In January 1998, Assignment Judge Samuel G. DeSimone of the Gloucester/Cumberland/Salem Vicinage approved implementing telephone court interpreting based on what had been learned in the previous pilot test. The AOC provided an orientation to the judges and support staff in Salem County, as well as the interpreter who works in Cumberland County, in April 1998. The interpreter

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<sup>1</sup>R.J. Lee, J. A. Newman, S.D. Conti, and S.A. Somogyi, PILOT TEST OF TELEPHONE COURT INTERPRETING IN ATLANTIC/CAPE MAY-ESSEX-HUDSON: FINAL REPORT (July 1998).

began delivering services in May of that year. Both the judges and the interpreter report complete satisfaction with the arrangement.

In September 1998, the Committee on Services to Linguistic Minorities (which consists of one designee from each vicinage and AOC staff) created a subcommittee to take the findings and recommendations of the previous pilot project and develop a comprehensive model that could be easily replicated statewide. In this project, staff interpreters in the Essex Vicinage provided telephone interpreting when requested by Somerset County courts. That subcommittee, along with a focus group convened by Director John P. McCarthy, Jr., and a more recent group of staff interpreters, have been working to put all the pieces in place for telephone interpreting.

## POLICY

The New Jersey Supreme Court has adopted the policy that the courts and their support services shall be equally accessible for all persons regardless of the degree to which they are able to communicate effectively in the English language. In order to provide Judiciary with an alternate means for securing interpreting services, the Judicial Council has approved a program<sup>2</sup> that requires delivering interpreting services to the courts and their support services by telephone in the following situations:

- (1) ***Emergent matters*** when no on-site staff or freelance interpreter is reasonably available; and
- (2) ***Short matters (non-emergent matters of thirty minutes duration or less)*** when no on-site staff or freelance interpreter will be reasonably available so long as it is more fiscally responsible to obtain the service by telephone than by bringing in an on-site freelance interpreter and the quality of the interpretation is not compromised.

The program for telephone court interpreting is grounded in the policy of the Judiciary, articulated in GUIDELINES FOR CONTRACTING FREE-LANCE INTERPRETERS IN THE SUPERIOR COURT (March 9, 1995), which provides that the most qualified interpreter available must be used. This means interpreters who are approved by the AOC and work either as a staff court interpreter or a registered freelance interpreter whenever possible, but allowing the use of other interpreters provided by agencies when no staff or registered freelance interpreter is reasonably available. Accordingly, this policy should be considered an extension of the policy articulated in the *Guidelines*, which remain in force except where explicitly modified by this manual regarding telephone court interpreting.

Following the same hierarchy in the *Guidelines*, the Judiciary will obtain telephone interpreting services for emergent matters and the short matters indicated above according to the following sequence:

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<sup>2</sup>This Manual is based on Directive #14-01, *Operational Standards for Telephone Interpreting*.

1. *Full-time staff court interpreters.* At the present time, this would include the following languages: Galician, Italian, Portuguese, Spanish, and Ukrainian.
2. *Registered freelance interpreters.* Interpreting services which cannot be delivered by full-time staff court interpreters should be obtained from registered freelance interpreters according to the following sequence:
  - A. Anyone who is available on site already at a courthouse, but who is available due to having completed the on-site assignment (s) for which they were called;
  - B. Anyone who is available from home or another approved location who have been contracted for an assignment that was canceled and for which they are already being paid; and
  - C. Anyone who is otherwise available.
3. *Agencies.* Agencies should be the last call for obtaining these services, both because they are the most expensive option and because they cannot guarantee approved (or, in other states, certified) interpreters.

## **EQUIPMENT FOR THE INTERPRETER**

### Mandatory Equipment

Contract interpreters who wish to provide telephone court interpreting services **must have**:

- A. The capacity to receive faxed documents (whether via a regular fax machine, by Internet via a computer, or otherwise), in order to be able to render sight interpretations when necessary; and
- B. A telephone line free of interference (e.g., no call waiting or other features that introduce beeping or other sounds that would be distracting or otherwise interfere with a legal proceeding).

### Recommended Equipment

Interpreters are encouraged to obtain equipment with the following features:

- A. Binaural headset, i.e., an earpiece for each ear (i.e., instead of a regular, hand-held telephone)
- B. Noise-canceling microphone attached to the headset
- C. Volume control

Models that meet these requirements are (1) Plantronics Supra Binaural noise-canceling headset, H61N, with the M12 Vista Amplifier; (2) Encore Binaural noise-canceling Headset, with the same amplifier; and (3) GN Netcom's Orator OG-II binaural headset with the MPA-II Multi-Purpose Amplifier.

## Prohibited Equipment

Interpreters **must not have or try to use** the following when delivering telephone court interpreting services, except when special permission has been granted due to exigent circumstances:

- A. Cell phones;
- B. Pay phones; or
- C. Cordless phones.

## **ENVIRONMENTAL CONSIDERATIONS**

The physical environment from which the interpreter delivers telephone interpreting services is very important. There are numerous factors which impede effective and efficient delivery of services and must be avoided. Ordinarily the interpreter will work from an office or private residence. In either case, that space in which the interpreter is physically located while delivering telephone court interpreting services must be:

A. *Free of noise.* Interpreters working by telephone have to be able to hear the incoming voices and the court receiving the interpreter's services should hear only his or her voice. Accordingly, the room must be as quiet as possible. The kinds of things to watch out for are those internal and external factors which generate noise, e.g., vehicular traffic (including airplanes if near an airport, ambulances if near a first aid squad, fire trucks or sirens if near a firehouse), business machines, pets, infants and older children, heating systems, telephones ringing, people talking or laughing, air conditioners, yard machines (e.g., chain saws, snow blowers, and lawn mowers), etc.

B. *Free of distractions.* Interpreters working telephonically must be able to concentrate fully on their interpreting work and should be in a room where the likelihood of being distracted is eliminated almost altogether. Examples of the kinds of things that could divert attention or interfere with concentration are people moving around, people needing to get the interpreter's attention, pets, activities that can be seen through a window (e.g., children playing, construction, police activity), etc.

## **TELEPHONE INTERPRETING PROCEDURE**

Judges who use telephone interpretation will be encouraged to consider following the procedure outlined below:

1. Swear Interpreter in

Evidence Rule 604 calls for interpreters to take an oath or make an affirmation, the same as is made by witnesses, and also to swear or make an affirmation or declaration to interpret accurately.

2. Put Interpreter's Appearance on the Record

This is when the judge or a clerk will ask the interpreter to state and spell his or her name for the record.

3. Determine Interpreter's Qualifications (especially if using an agency)

Pursuant to Evidence Rule 604, determine whether the interpreter is qualified. A sample voir dire that judges may consider and use is attached as Appendix A.

4. Provide Background to the Proceeding Upon Request by Interpreter

If the interpreter has not received background material on the proceeding, the interpreter should ask the presiding officer for a brief introduction to the type of case it is, the names of the parties, the names of any attorneys who may be present, and any other information that is appropriate to request, etc.

5. Explain the Process to the Party(ies) (the following text or one similar will be recommended)

*(A) We are going to communicate through an interpreter who will be helping us by telephone. (B) The interpreter will interpret everything you say into English and everything I [we] say into [\_\_\_\_\_]. (C) The interpreter cannot participate in the conversation. The interpreter's only job is to interpret what each of us says. (D) If you do not understand something, ask me, not the interpreter. Please talk directly to me, not to the interpreter. (E) If you have a long question or a long answer, please pause frequently so that the interpreter can interpret everything accurately. (F) Please speak loudly and pronounce your words clearly so that the interpreter can hear you easily. (G) It may take longer to say everything you need to say through an interpreter. Please say everything you need to say. (H) If you have any difficulty hearing the interpreter or understanding me during this proceeding, please tell me.*

6. Determine Whether the Interpreter and the Parties Can Hear Each Other

7. Inquire of Linguistic Minority Person(s) and Interpreter If They Understand Each Other

8. Inquire Whether There Is Anything Else That Needs to Be Said Through the Interpreter

9. Conduct the Proceeding, Pausing for Consecutive Interpretation of Everything Said

In proceedings before a hearing officer, arbitrator, or mediator, many if not all of the steps may be the same, especially when those hearings are sound recorded (i.e., a record of the proceeding is made electronically). However, when interpreting for other events such as intake interviews and reporting sessions to Probation Officers, those environments are not formal, on-the-record events for which an oath or a voir dire of credentials will necessarily be required.

## EQUIPMENT CONFIGURATION FOR TELEPHONE INTERPRETING

When telephone interpreting is provided to judges or hearing officers, the room in which the proceedings or hearings are held will ordinarily have a specific kind of equipment. Although the manufacturer may differ in some courts, most will have the PolyCom SoundStation speakerphone situated on the judge's bench. There will be a microphone on each counsel table with a wire running to the speakerphone. In addition, the judge or hearing officer will be able to use a switch to turn off the speakerphone when an attorney needs to have a confidential communication with his or her client using regular hand-held telephone sets. A diagram of this model is provided at Appendix B.

In all other situations, a more standard speakerphone will be used. When a standard speakerphone is not available, the headset will be passed back and forth between the court employee and the person with whom the court employee is talking.

## HANDLING PROBLEMS DURING PROCEEDINGS

When interpreting on site, the interpreter can use a variety of strategies for handling problems that arise which prohibit the interpreter from rendering a faithful and accurate interpretation as required by the Code of Professional Conduct. However, many of those strategies are not available as they depend on one's physical presence, e.g., using hand signals to direct a speaker to pause. Accordingly, it is sometimes more difficult to render interpreting services by telephone.

As a general rule, interpreters are encouraged to follow the general principles articulated below when anything happens which interferes with the interpreter's ability to interpret everything being said accurately and faithfully:

1. ***Get the judge's attention.*** First, the interpreter must say "Your honor" to get the judge's attention. Remember, the judge is in charge of the proceeding. Even if the problem is being caused by an attorney or a party, it's the judge to whom you need to go to seek a resolution of the problem that has arisen.
2. ***State the problem.*** Next, as respectfully, succinctly, and clearly as possible, describe the problem; state exactly what is happening that is preventing you from doing the job you are sworn to do under the Code of Professional Conduct.
3. ***When appropriate, offer a suggestion how the problem may be resolved.*** When the problem persists, or it appears that the judge has not taken steps to solve the problem, repeat the statement of the problem (perhaps using different words) and then offer, as respectfully, succinctly, and clearly as possible, a solution for the problem. Samples of this step are provided below as "Step 2."

Several problems that have been identified for providing telephone interpreting services are listed below with suggested ways of handling each. Many of them are fairly stilted and not particularly eloquent. More fluid examples will be provided in future editions of this manual. These are not included as specific language that interpreters **must** use. However, they are provided to illustrate some acceptable ways of handling problem situations and the professional interpreter may find creative ways to adapt them to particular situations that he or she faces.

**Problem** The interpreter cannot hear a speaker (e.g., volume of interpreter's equipment too low, speaker is not near a microphone, someone speaks softly, courtroom has poor acoustics, other noises/sounds provide interference, background noise [e.g., shuffling paper, tapping on table, clicking pens], etc.)

Step 1: "Your honor, the interpreter is unable to hear [who, what] [the last utterance] [the last speaker]."

Step 2: "Your honor, the interpreter is still unable to hear. Is it possible to instruct [who] to [offer specific solution, e.g., 'speak louder,' 'move closer to the microphone?'"

**Problem** Two or more persons speak at the same time and the interpreter cannot hear what both said

Step 1: "Your honor, the parties are speaking at the same time and the interpreter is unable to hear or interpret."

Step 2: "Your honor, the parties are still talking over one another. Is it possible to instruct [who] to speak one at a time?"

**Problem** The interpreter does not speak the same language as the party

Step 1: "Your honor, the party speaks [name of language] and this interpreter is not approved to interpret for that language."

Step 2: "Your honor, the interpreter is unable to ensure that the interpretation will be accurate and complete. The interpreter requests to be disqualified from the proceeding because to continue would constitute a violation of the interpreter's Code of Professional Conduct."

Step 3: If the interpreter is required by the judge to continue any way, each time the interpreter is not sure either what was said due to the language barrier or how to interpret anything, the interpreter should say something like one of the following statements, with whatever editing may be appropriate given the specific circumstances:  
"Your honor, the interpreter did not understand the last utterance" or  
"Your honor, the party just used several words the interpreter does not understand," or "Your honor, the interpreter does not know how to say that in the {language's name} language."

**Problem** Someone says something the interpreter hears but does not understand due to problematic speech patterns, e.g., using hyper correction, stuttering, pronouncing words imprecisely, mumbling, stammering, stuttering, whispering, talking too fast,

speaking with accented articulation, using peculiar constructions, talking while emotionally upset [especially if crying], etc.

Step 1: "Your honor the interpreter is having difficulty understanding the party."

Step 2: "Your honor, the interpreter is still having difficulty understanding the party. Could the court {instruct the party to repeat}, [instruct the party to speak slowly and clearly]?"

Problem Someone says something that the interpreter hears in the same language but does not understand

Step 1: "Your honor, the party just used a [word] [phrase] that the interpreter does not understand."

Step 2: "Your honor, the interpreter requests permission to clarify {state word or phrase} with the [who: witness, attorney, etc.]."

Problem A speaker talks in utterances that are too long

Step 1: "Your honor, the parties are speaking too long for the interpreter's recall." or "Your honor, the interpreter is having difficulty recalling that much information."

Step 2: "Your honor, could the court instruct [who] to pause after each sentence or two."

Problem A speaker talks in utterances that are too short

Step 1: "Your honor, the interpreter is having difficulty because the speaker is pausing too frequently. Could the court instruct [who] to pause only after complete sentences?"

Problem The interpreter needs to identify and correct an interpreting mistake when interpreting *into English*

Step 1: "Your honor, the interpreter has become aware of an error in [his] [her] interpretation. The interpreter said [what was interpreted] when it should have been [what the correct interpretation would be]."

Problem The interpreter needs to identify and correct an interpreting mistake when interpreting *into the foreign language*

Step 1: "Your honor, the interpreter has become aware of an error in [his] [her] interpretation.

Step 2: If the judge does not offer a solution, "Could the court [repeat] [direct the attorney to repeat] the [question] [statement]?" Then interpret the repeated question or statement and state on the record what was corrected.

- Problem      The judge is not permitting pauses for the interpreter to interpret everything being said during the event, e.g., attorneys are talking to each other or to the judge and not pausing to permit interpretation
- Step 1:        “Your honor, the interpreter was unable to interpret because there was no pause [between the question and the answer] [between the speakers.”
- Step 2:        “Your honor, the interpreter requests that the court instruct the participants to pause for interpretation before responding to one another.”
- Problem      Static comes on the telephone line or the connection is interrupted or terminated
- Step 1:        “Your honor, the interpreter was unable to hear because of static on the line.”
- Step 2:        “Your honor, the interpreter is still unable to hear because of static on the line. Could we hang up and get a new connection?”

## COMPENSATION RATES FOR TELEPHONE INTERPRETING

The *Guidelines for Contracting Free-lance Interpreters in the Superior Court* anticipated when they were published in 1995 that rates would soon be required for telephone interpreting (see note 9 at page 11). Accordingly, the *Guidelines* are hereby revised to include the following rates for individual freelance interpreters:

RATES FOR TELEPHONE INTERPRETING		
CLASSIFICATION OF INTERPRETER	RATE FOR THE FIRST 30 MINUTES	RATE FOR EACH ADDITIONAL INTERVAL OF 15 MINUTES
Master	\$40	\$20
Journeyman	\$35	\$17.50
Conditionally Approved	\$25	\$12.50
Eligible Unapproved	\$20	\$10.00

Any service rendered for under one minute and not exceeding thirty minutes is to be paid the flat rate indicated above for the first 30 minutes. In addition, after the first thirty minutes, each interval of one to fifteen minutes is to be paid at the fifteen-minute flat rates indicated above. For example, when Master interpreters interpret for two minutes or twenty-nine minutes, they will be paid \$40. When Journeyman interpreters interpret for thirty-five minutes, they will be paid \$52.50.

The cancellation policies indicated in the *Guidelines* will be in force for telephone interpreting assignments. The cancellation policy would obviously not come into plan with respect to emergent matters. However, it does apply to telephone interpreting assignments which are scheduled in advance. The policy, as stipulated in the *Guidelines*, is as follows: "In the event the VCIS [Vicinage Coordinator of Interpreting Services] cancels the assignment within the immediately preceding working day (i.e., less than twenty-four hours), the interpreter is entitled to one-half of the minimum professional fee..." (at p. 16).

The rates for agencies will be those published according to rate schedules obtained from each agency and published in the *Registry of Free-lance Interpreters and Interpretation/Translation Agencies*. Each agency will charge the same rate statewide as published in the Registry except when updated through the AOC. At the outset, six agencies are approved for providing this service.

## **CASE BACKGROUND INFORMATION FOR INTERPRETERS**

Since preparation of an interpreter for every assignment is highly desirable and is already provided for with respect to freelance interpreters in the *Guidelines* (see p. 14), and since advance notice appears to be even more important when the interpreter is not physically present and able to do some of the preparation that is readily conducted in person, background information will be provided *when feasible*. This means it may not be feasible in some emergent matters, but it should be regularly provided in non-emergent matters and even in some emergent matters. Attached as Appendix C is the *Fax Request for Telephone Interpreting* form that should be completed by a court employee and faxed to the office (in the event of a staff interpreter) or the freelance interpreter that will provide the service.

Any time the court requesting the service is not able to fax this information, the interpreter should feel free to request some basic information from the court employee who has called to arrange for the service or from the judge or whoever is in charge of the event after being connected by telephone and before starting to interpret.

## **PAYMENT FOR SERVICES**

Payment for services rendered by freelance interpreters will be made pursuant to receipt by the appropriate office in the Judiciary of either of two documents. First, as provided in the *Guidelines*, a freelance interpreter may submit the State of New Jersey Payment Voucher (Vendor Invoice; form PV 5/93). This is the method by which freelance interpreters have historically been paid and with which they are familiar.

However, a new method has been approved and may now be used, whether for telephone interpreting or on-site assignments. In this case, the freelance interpreter can submit a written invoice in lieu of a state payment voucher so long as the following information is included:

1. Vendor identification number (social security number for individuals; federal identification number for agencies)
2. Name and mailing address where the check is to be sent (this should be consistent with the original W-9 form completed or pursuant to a subsequent Registration Change Form)
3. Name and mailing address of party being billed (i.e., vicinage name and address)
4. Date of service
5. Specific description of service rendered (e.g., judge or other employee of the Judiciary in whose presence the service was delivered)
6. Number for the invoice
7. Amount being billed according to the rates published herein
8. Any other information that the interpreter believes may be important
9. An *original* signature (meaning an invoice created by the interpreter is valid only if mailed or turned in; faxed invoices are not valid)

Vicinage staff will verify all invoices for accuracy. In addition, the interpreter can submit invoices to an individual vicinage according to whatever billing cycle that is mutually agreed to in advance (e.g., per service rendered, weekly, or monthly).

## NOTIFICATION OF INTERPRETER AVAILABILITY

Interpreters who are eligible to deliver telephone interpreting services are so identified in the new edition of the *Registry of Free-lance Interpreters and Interpretation/Translation Agencies*. When a court manager wants to find a freelance interpreter to schedule a service *in advance*, he or she will simply work directly from the Registry just the same as if trying to schedule an interpreter for an on-site service.

In order to be contacted for *same-day services* such as emergent matters, interpreters must advise the Court Interpreting Section of their availability. This means they must advise the Section of the dates and times they are available. The Section will post that information, as well as each person's language(s), on a computerized calendaring system that all court managers can access to find out what interpreters are available at any given time on any given day.

An interpreter who wants the Judiciary to know that he or she is available on any given day must provide the following information as early in the day as possible:

1. Name  
If leaving a voice mail message, please **state and spell** your name.
2. Date and Time available  
Give the date(s) and the exact starting and ending time(s) for each date that you will be available. As a general rule, it will not be worthwhile to report times that are less than one hour. Here are some examples of how to do this:

- "I'm available January 23rd from 8 AM to 4 PM."

- “I will be available January 22nd through 26th, 8 AM to 6 PM each day.
- “Until I advise you otherwise, I am available every weekday from 9 AM to 11 AM.”  
[This means the Section will post your availability every day until further notice. This way you don’t have to contact the office every day, but if your circumstances change, you need to notify the Section.]

3. Different Telephone Number

If you will not be at the telephone number that has been included in the Registry, indicate the number at which a court manager can reach you that day. If your telephone number is not different, do not report it.

The information may be supplied in any of the following ways:

1. By telephone: call 609-633-8107

If you use this method, just press “1” as soon as the message starts speaking so you can skip it.

2. By e-mail: [Telint\\_Mailbox@judiciary.state.nj.us](mailto:Telint_Mailbox@judiciary.state.nj.us)

Interpreters should add this address to their Address Book so they don’t have to look it up each time or run the risk of making mistakes when typing it each time.

3. By fax: 609-633-7142

## **MONITORING AND EVALUATION**

Data on the use of telephone interpreting will be compiled in the same way that other interpreting data are gathered, reporting on the provider, the language, and the cost. The forms to be used and the methods of collecting, processing, and analyzing the data will be distributed at a later date (a working draft of the form is attached as Appendix D).

FOR FURTHER INFORMATION, CONTACT:

The county’s local coordinator of interpreting services; or  
 Court Interpreting, Legal Translating, and Bilingual Services Section  
 Special Programs Unit  
 Programs and Procedures Division  
 Office of Trial Court Services  
 Administrative Office of the Courts  
 P.O. Box 988  
 Trenton, NJ 08625-0988  
 609-984-5024

## APPENDIX A<sup>3</sup>

### SUGGESTED VOIR DIRE TO DETERMINE QUALIFICATIONS OF NON-CERTIFIED INTERPRETERS

#### **Knowledge of the Languages and General Education**

1. How did you learn English?
2. Have you formally studied the English language in school or college? Please describe if so.
3. How did you learn [insert name of the other language to be interpreted]?
4. Have you formally studied the [insert name of the other language to be interpreted] language in school or college? Please describe if so.
5. What is the highest grade or degree you completed?

#### **Interpreting and Translating Skills**

6. What formal courses or training have you had in the professions of interpreting and translating?
7. What specific courses or training have you completed in legal or court interpreting and translating?
8. Have you passed any accreditation or certification exams for interpretation or translation? Please describe if so.
9. Are you a member in good standing of any professional associations of interpreters or translators? If so, please identify them.
10. How often do you attend meetings, conferences, and other gatherings of professional interpreters and translators?
11. Have you read and understood the Code of Professional Conduct for Interpreters, Translators, and Translators? Do you agree to abide by that code and advise the court when you cannot abide by any particular provisions of it?

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<sup>3</sup>This model voir dire has been proposed and has neither been approved nor mandated in any way. It is cited for informational purposes.

12. Have you ever been disciplined for conduct that violates a Code of Professional Conduct approved by the New Jersey Supreme Court, another state judiciary, or an association of professional interpreters or translators?
13. About how many times have you interpreted in a Municipal, Superior, or Federal court?
14. About how many times have you interpreted for depositions?
15. About how many times have you interpreted for administrative tribunals in the executive branch, such as a judge of Workers Compensation, an Administrative Law judge, or Federal Immigration?
16. Have you ever interpreted in proceedings like the one we are about to have? If so, about how many times?

#### **Conflicts of Interest**

17. Are you a potential witness in this case?
18. Do you know or work for any of the lawyers, parties, or witnesses in this case?

#### **Communicative Compatibility**

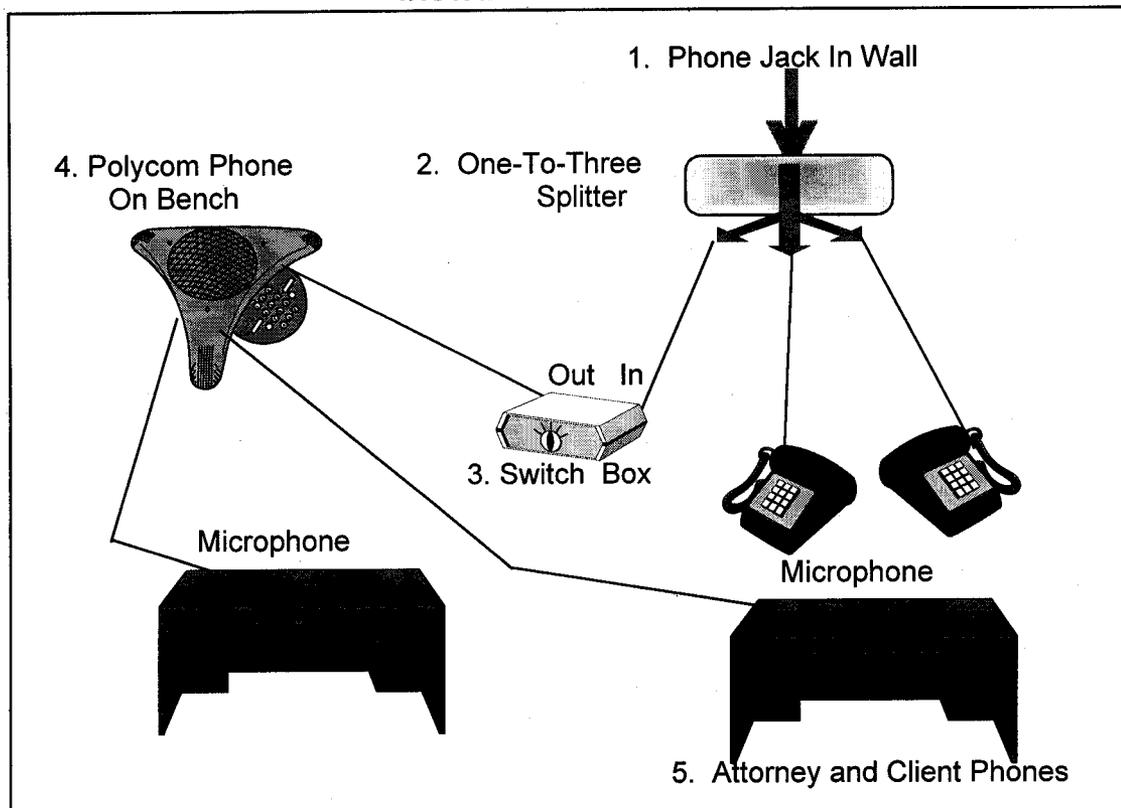
19. Have you had an opportunity to speak with the person for whom you will be interpreting?
20. Did you have any difficulty understanding everything that person says?
21. Do you speak the same language?
22. Does that person have any dialectal or idiomatic peculiarities that you do not understand or which you cannot interpret into English?

#### **Performance of Appropriate Interpreting Modes**

23. Tell me what simultaneous and consecutive interpreting are and when you should use them while interpreting court proceedings.
24. Can you interpret simultaneously into [name of language] everything that is said in English during this proceeding without adding, deleting, or changing anything?
25. Can you interpret consecutively from English into [name of language] and from [name of language] into English everything that is said without adding, deleting, or changing anything?

## APPENDIX B

### INSTALLATION DIAGRAM



To place a call in the **Public Conference Mode** (i.e., on the record):

1. Place the switch box to ON.
2. Turn on the Polycom phone.
3. Use the keypad on the Polycom to place a call.
4. When the call is made, you are in a Public Conference Mode.

To function in attorney-client **Private Conference Mode** (i.e., confidential, off the record):

1. At the point in which a Private Conference is to take place, the attorney and client must pick up the handsets on the phones in front of them on the counsel table. (Note: All three phones in the courtroom are now active.)
2. The clerk turns the switch box to the OFF position and the Polycom phone is no longer part of the conference. The system is now in Private Conference Mode.
3. When the confidential, private conference is concluded, the attorney must inform the clerk **BEFORE** the attorney and client hang up their handsets.
4. The clerk will turn the switch box to the ON position to activate all phones.
5. The attorney and client can now hang up their phones.

Should both the attorney and client hang up their phones before the switch box is placed to ON, the call will be terminated. If this occurs, redial the interpreter to resume the private conference or on-record proceeding.

## APPENDIX C

### FAX REQUEST FOR TELEPHONE INTERPRETING

TO:

FROM:

NAME

TITLE

( )

TELEPHONE

DATE:

DATE SERVICE NEEDED	LANGUAGE	STARTING TIME : AM/PM	ESTIMATED LENGTH OF ASSIGNMENT _____ Minutes
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NAME(S) OF COURT PERSONNEL INVOLVED	Name
<input type="checkbox"/> Judge	_____
<input type="checkbox"/> Mediator/Arbitrator	_____
<input type="checkbox"/> Hearing Officer	_____
<input type="checkbox"/> Probation Officer/Inv.	_____

CASE NAME	DOCKET NUMBER
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CASE TYPE

ATTORNEY NAMES Prosecutor/Plaintiff	Defense	<input type="checkbox"/> None Party is Pro Se
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PARTY NAMES	Needs Interpreter
#1 _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
#2 _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
#3 _____	<input type="checkbox"/> Yes <input type="checkbox"/> No

PHONE NUMBER WHERE SPEAKER PHONE WILL BE LOCATED

ADDITIONAL INFORMATION Street names likely to be used	Technical/medical terms likely to be used	Comments about anything unusual in this case
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**NUMBER OF PAGES:** \_\_\_\_\_ Attach any pertinent background documents

## APPENDIX D

### TELEPHONE INTERPRETING EVALUATION FORM

*To Be Completed by the Interpreter*

Case Identification	
<b>Date:</b>	
<b>Case Name:</b>	
<b>Docket No.:</b>	
<b>County Receiving Service:</b>	
<b>Interpreter's Name:</b>	
Description of Assignment	
<b>Which of the following occurred during this telephone interpreted case?</b> <i>(Check all boxes that apply with ✓ or X.)</i>	<input type="checkbox"/> Interpreter received faxed case description information in advance <input type="checkbox"/> Interpreter was sworn in <input type="checkbox"/> Interpreter's appearance was placed on the record <input type="checkbox"/> Interpreter was <i>voir dire</i> d <input type="checkbox"/> Judge or other court official provided background to the proceeding <input type="checkbox"/> Interpreter served a private attorney/client communication during the proceeding
<b>Degree to which court official gave the recommended explanation of the process to the parties.</b> <i>(Check one box with ✓ or X.)</i>	<input type="checkbox"/> Most or all of them <input type="checkbox"/> Some of them <input type="checkbox"/> None of them
Evaluation of Assignment:	
Which, if any, of the following <i>problems</i> occurred in this telephone interpreted case? <i>(Check all boxes that apply with ✓ or X.)</i>	
<b>Audibility</b>	<input type="checkbox"/> Court could not hear interpreter <input type="checkbox"/> Party could not hear interpreter <input type="checkbox"/> Interpreter could not hear party <input type="checkbox"/> Interpreter could not hear court official <input type="checkbox"/> Interpreter could not hear attorney

<b>Technical Issues</b>	<input type="checkbox"/> Static on line <input type="checkbox"/> Problem with interpreter's phone <input type="checkbox"/> Problem with speaker phone <input type="checkbox"/> Problem with attorney/client line <input type="checkbox"/> Words chopped off
<b>Protocol</b>	<input type="checkbox"/> Court official did not solve problems <input type="checkbox"/> Court official didn't understand interpreter's role <input type="checkbox"/> Court official didn't help interpreter understand what was happening <input type="checkbox"/> Court official criticized interpreter for interrupting too much
<b>Length of Utterances</b>	<input type="checkbox"/> Party/attorney spoke too long (w/o breaks) <input type="checkbox"/> Party/attorney spoke too short <input type="checkbox"/> Court official spoke too long <input type="checkbox"/> Court official spoke too short
<b>Speed</b>	<input type="checkbox"/> Party/attorney talked too fast <input type="checkbox"/> Party/attorney talked too slow <input type="checkbox"/> Court official talked too fast <input type="checkbox"/> Court official talked too slow
<b>The Linguistic Minority Party</b>	<input type="checkbox"/> Was confused by process <input type="checkbox"/> Mumbled/did not speak clearly <input type="checkbox"/> Had limited linguistic skills
<b>Need to Request Repetition</b>	<input type="checkbox"/> Had to ask court official to repeat <input type="checkbox"/> Had to ask party to repeat <input type="checkbox"/> Had to ask attorney to repeat
<b>Need for Clarification</b>	<input type="checkbox"/> Had to ask court official for clarification <input type="checkbox"/> Had to ask party for clarification <input type="checkbox"/> Had to ask attorney for clarification
<b>Miscellaneous</b>	<input type="checkbox"/> Interpreter was not always able to follow who was speaking <input type="checkbox"/> Long silences left interpreter wondering what was happening <input type="checkbox"/> Things happened (e.g., significant non-verbal events) that were not clarified to the interpreter
<b>Sight Translation/Interpretation</b>	
<b>Was any document sight interpreted?</b> (Check one box with ✓ or X.) <input type="checkbox"/> No <input type="checkbox"/> Yes	If yes, please provide the title of the document or describe it completely):
<b>Summary Questions</b>	

<p><b>Were there any significant problems with this telephone interpreted event?</b> (Check one box with ✓ or X.)</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	<p>If yes, please provide what it/they were.</p>
<p><b>Did anything happen in this case that particularly helped make telephone interpreting succeed?</b> (Check one box with ✓ or X.)</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	<p>If yes, please provide what it/they were.</p>
<p><b>What concerns, if any, do you have about telephone interpreting?</b></p>	
<b>Comments</b>	

*Return this completed form to:*  
 Court Interpreting Section  
 Administrative Office of the Courts  
 P.O. Box 988  
 Trenton, NJ 08625-0988