

1.11 PRELIMINARY CHARGE (Approved 04/2018)

J. Official Interpreters

[To be given after the jury is sworn in and before any witness testifies through an interpreter.]

You are about to hear testimony from a witness through an official interpreter. The witness's testimony will be translated from the witness's first language [*name the language*] to English by the interpreter. The evidence for you to consider in this case is the English interpretation provided by the interpreter. Even if you have the ability to understand [*name the language*], you must consider only the interpretation provided to you by the official interpreter. Dialects, regional usage and other variations exist in almost all languages. Our interpreters are trained in this regard and because it is necessary that all jurors consider the same evidence, any different understanding you may have as to the meaning of the words spoken by the witness in [*name the language*] must be disregarded by you.

NOTE TO JUDGE

It may also be helpful to give the following instruction to a witness using an interpreter before testimony begins:

You will be testifying through an interpreter in this matter who will interpret from [*name the language*] to English for the jury. Even if you have some understanding of English, it is important that you wait for the interpreter to ask you the question in [*name the language*] and that you respond only in [*name the language*].