

Working With a Sign Language Interpreter

Address Logistics, Including AV Equipment, Documents and Other Considerations Before Event Begins

Sign language interpreters provide access to communication when someone is not fluent in American Sign Language (ASL). The following tips can help ensure attorneys who have deaf or hard-of-hearing clients are using the interpreter in the best, most appropriate way as part of the overall services the attorney provides to his/her clients.

Use a professional, nationally certified interpreter with extensive training and/or certification in legal interpreting (SC:L). Expecting your client to bring his or her own interpreter or use a family member or someone in your office who took a sign language class is inappropriate and violates the client's rights to communication access under the Americans with Disabilities Act As Amended (ADAAA).

Talk with the interpreter before meeting with your deaf or hard-of-hearing client to review your overall goals and to help the interpreter develop a clear sense of what to expect. Address logistics, including audio-visual equipment, written documents and other considerations before the event begins. Use the interpreter for the conversation between you and your client about the written documents and not to explain documents to your client without you present. Provide copies of materials and information (case summary, outlines, case file) to the interpreter in advance. This allows the interpreter to prepare and plan ahead, allowing for the best interpretation possible.

Remember the interpreter is there to provide communication access for everyone involved, including you, as the attorney. While it is thoughtful and necessary to consider the interpreter as another person present, her/his reason for being there is different than everyone else's. Avoid asking the interpreter to participate, supervise or assist.

Speak directly to the deaf or hard-of-hearing person and maintain eye contact with him or her. Because the interpreter interprets your communication directly, there is no need to use phrases such as "tell him..." or "ask her..." You will see the same direct phrasing ("I think..." or "I was wondering...") used when the interpreter is interpreting the deaf person's comments into English. When the interpreter needs to address you, the distinction of who is speaking will be made clear.



Recognize that working between languages (American Sign Language and English) takes time. The interpreter will pause before and during the interpretation to process the information, consider the idea in the original language, and analyze how to interpret the same idea in another language.

Realize the interpreter interprets all the communication in the environment. Should you wish any private communication with people, move to a location where the communication can be private.

Follow turn-taking rules with only one person speaking at a time. While there may be several people talking at once, there is only one interpreter. If more than one person is speaking the interpreter may make a judgment as to who seems to be the primary speaker, causing the deaf not to have the same opportunities to receive all

the information and participate like everyone else. Observing turn-taking rules allows balance and equity in the communication.

Pause periodically and take a breath. This allows the interpreter time to interpret the information and take a breath, too. Although you may feel inclined to speak more slowly for the interpreter's benefit, changing your speaking style is unnecessary. Pausing and taking a breath periodically is an easier accommodation to make and often improves your audience's ability to consider the information presented. Should the interpreter need additional time or clarification, she/he will let you know.

Avoid relying on the interpreter provided by the court on the day of the proceeding to prepare with your client. The interpreter is there for the court, not for a conference between you and your client. Professional, appropriate practice requires preparation with your client about the case, protocols for behavior, what to expect and next steps in the case.

Keep in mind that for many deaf people, English is a second language and people have varying levels of fluency and comfort. Don't assume that written communication – especially regarding legal issues – is enough. Communicating with your client in his/her first language during all phases of the case provides for the greatest understanding possible, ensures integrity in the process and prevents problems down the road.

Additional information about interpreting, including a list of certified interpreters, is available from the Registry of Interpreters of the Deaf at www.rid.org. ■

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