



National Association of Judiciary Interpreters & Translators
2002 Summit Blvd., Suite 300
Atlanta, GA 30319
ph: 404-566-4705

NAJIT Suggested Guidelines for Interpreters Returning to Work in Courts Holding In Person Proceedings

Preamble:

Following the shutdown of state and federal courts to prevent the spread of the Covid-19 virus, court proceedings were limited to those that could be held remotely using telephonic or video conferencing platforms or a hybrid of the two. Some courts are now preparing to return to in-person proceedings in the courtroom, but not all courts have established the essential protocols required to safeguard the health and welfare of interpreters while the threat of Covid-19 still looms. Some courts have created task forces or committees to identify the best practices for interpreters returning to work in the courtroom, but there is no single universal standard as yet.

Given the urgency of the situation and the need to set minimum standards to protect spoken and sign language interpreters before they are put at risk, NAJIT has developed the following guidelines bearing in mind that the current situation with Covid-19, is very fluid and that these suggestions may need to be revised often and quickly to keep up with any changes in the status of the pandemic.

Protective Equipment for Interpreters

- **Face masks** – Interpreters should be provided with lightweight facemasks by the court and/or contracting party that allow the interpreter to speak and breathe comfortably for the duration of the interpreting assignment in court.
- **Face shields** – The additional layer of protection offered by a clear acrylic face shield should be provided by the court and/or contracting party if the interpreter will have to stand close to (i.e., less than 6 feet) a witness or defendant or any other participant in a court proceeding for whom interpretation will be provided. This is particularly important when an interpreter is called upon to assist in attorney-client conferences or interviews in small spaces to meet confidentiality requirements.
- **Partitions** – Courts should install clear solid (e.g., acrylic) partitions that allow eye contact, but no physical contact, wherever the interpreter is expected to stand or sit next to a participant in a proceeding who requires interpreting services. If necessary, interpreting equipment should be provided that allows the person on the other side of the partition to hear the interpreter (see *Interpreting Equipment* below) and also allows the interpreter to hear anything spoken by the user of interpreting services.

- **Gloves** – Any time interpreters are expected to handle any physical object or touch any surface in the courtroom, they should be provided with disposable surgical-quality gloves by the court and/or contracting party.

Interpreter Work Station and Equipment

- **Separate Table** – Interpreters should have a separate table in the courtroom designated as their work station, provided for the exclusive use of the interpreters. The interpreter work station should be wide enough to accommodate two interpreters at a safe distance, and shielded on the front and two sides by a clear acrylic partition.
- **Wireless Simultaneous interpreting equipment** – Interpreters should be provided by the court and/or contracting party with FM or infrared simultaneous interpreting equipment to minimize contact with persons requiring interpreting services. Additionally, in the interest of protecting the confidentiality of attorney-LEP client communications while keeping the interpreter at a safe distance, wireless 2-way communication equipment offers an alternative to FM or infrared simultaneous interpreting equipment which either transmits in a single direction or requires a special setup for the interpreter to hear a speaker situated at some distance. With the bi-directional communication equipment the interpreter can hear the attorney while interpreting for the client in complete privacy, and vice-versa, with the use of a headset with an integrated microphone.
- **Disinfecting supplies** – The interpreters' work station should be supplied with disinfecting wipes by the court and/or contracting party to allow interpreters or other court personnel to ensure that the interpreting equipment and all work surfaces remain disinfected at all times.
- **Hand sanitizer** – The interpreters' work station should be supplied by the court and/or contracting party with 99% alcohol-based hand sanitizer at all times.

Interpreter Performance Best Practices

- **Team Interpreting** – NAJIT advocates the practice of team interpreting whenever a legal proceeding is expected to last longer than 30 minutes, to prevent mental fatigue that produces errors in the interpretation thereby jeopardizing the accuracy of the record. Any time a proceeding exceeds 30 minutes and a team of interpreters is not available, then the interpreter assigned to the case should be allowed to take periodic breaks to protect both the integrity of the interpretation and the accuracy of the record.
- **Social Distancing** – Interpreters working as a team should observe the required social distancing (i.e., at least 6 feet) while still assisting each other with terminology searches and other distinct and essential functions of the primary and secondary interpreters in a team interpreting scenario.