

**STATEMENT ON THE MOHAMMED YOUSRY CASE
BY THE BOARDS OF THE AMERICAN TRANSLATORS ASSOCIATION AND
THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS AND TRANSLATORS**

The boards of directors of the American Translators Association and the National Association of Judiciary Interpreters and Translators have followed with concern the recent trial and conviction of interpreter and translator Mohammed Yousry in *U.S. v. Ahmed Abdel Sattar, Lynne Stewart and Mohammed Yousry*.

Based on the trial transcripts and other materials, indications are that many aspects of the events leading up to the Lynne Stewart/Mohammed Yousry trial were not handled according to the standard recognized protocols for professional interpreting and translating in legal settings. Our organizations take no position about the guilt or innocence of individuals involved in any criminal case. We believe, however, that this case highlights many vital issues concerning the role, ethics, and proper procedures of our profession and that it is important to reiterate the proper protocols for such interpreters and translators.

Judiciary interpreters and translators are required to limit their scope of practice to providing interpreting and translating services only. When interpreters step out of that prescribed role, they not only expose themselves to serious personal risk; such deviations also may be greatly detrimental to the proper administration of justice, leading to an inaccurate court record, reversal of cases, unfair convictions, or acquittal of the guilty.

The following points are firmly established in codes of conduct and ethics promulgated by federal and state courts and professional associations, and govern the practice of interpreting and translating in any legal or quasi-legal setting:

- Judiciary interpreters and translators serve the judiciary process, not an individual party.
- They are the court's instrument to help ensure that constitutional due process guarantees are upheld.
- They are officers of the court, subject to the rules pertaining to all officers of the court.

- Their scope of practice is limited to providing interpreting and translating services.
- They are neutral parties and may not advocate for one side or the other.
- They are prohibited from providing legal or other advice.
- They must interpret all materials faithfully and accurately, without summarizing or editing.
- They may not interject their own words, phrases, expressions or opinions.
- They must inform the court if a real or perceived conflict of interest exists, which may include having an interest—personal, financial, academic or otherwise—in the outcome of the case.

In the rush to expand interpreting and translating capability after 9/11, we believe that crucial aspects required for accurate and ethical language services have been overlooked. The U.S. Government, the judiciary, attorneys and language service companies must recognize it is not enough to require that interpreters and translators possess near-native proficiency in two languages. They must also have been trained in specific skills and specialized terminology, and possess a profound and practical knowledge of their role, professional protocols, and ethical responsibilities.

We very much regret that such professional awareness, understanding and practice appear to have been lacking in this case. We call upon all concerned with second-language issues in legal settings to assist in creating widespread awareness of the standard protocols. Only then can judiciary interpreters and translators practice their profession secure in the knowledge that their code of ethics and guidelines both serve and protect them and their clients, while advancing the administration of justice.

Scott Brennan, President, for the ATA Board of Directors
Alexander Rainof, Ph.D., Chair, for the NAJIT Board of Directors
March 1, 2005

■ REFERENCES

Fundamentals of Court Interpretation, Code of Professional Responsibility of the Official Interpreters of the United States Courts

Court Interpretation: Model Guides for Policy and Practice in the State Courts
Chapter 9 Model Code of Professional Responsibility for Interpreters in the Judiciary: www.ncsconline.org/wc/publications/Res_CtInte_ModelGuideChapter9Pub.pdf

Code of Ethics of the National Association of Judiciary Interpreters and Translators: www.najit.org/najethic.html

ASTM Standard Guide for Language Interpretation Services F 2089
Section 11.2.4.1 LAW

■ INFORMATION SPECIFIC TO THIS CASE:

<http://news.findlaw.com/hdocs/docs/terrorism/uslstwr111903sind.html>
Superseding Indictment: *U.S. v. Ahmed Abdel Sattar, Lynne Stewart, and Mohammed Yousry*

www.lynnestewart.org/transcripts.html

- Video tape transcripts, 5/19/2000 - 5/20/2000
- Mohammed Yousry testimony, 11/15/2004 - 11/29/2004
- Summation for the defense, 1/4/2005
- Rebuttal summation (prosecution), 1/10/2005

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