



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-052

For business meeting on February 21, 2025

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**Title**

Court Interpreters: Professional Standards and Ethics for California Court Interpreters

**Report Type**

Action Required

**Effective Date**

February 21, 2025

**Rules, Forms, Standards, or Statutes Affected**

None

**Date of Report**

January 15, 2025

**Recommended by**

Court Interpreters Advisory Panel  
Hon. Brian L. McCabe, Chair  
Hon. Maurice Sanchez, Vice-Chair

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### Executive Summary

Significant changes in the courts and the interpreting profession, including the rise of remote and hybrid courtrooms and the pervasive influence of social media, led the Court Interpreters Advisory Panel to revise the *Professional Standards and Ethics for California Court Interpreters*. These revisions ensure that interpreters are equipped to uphold impartiality, confidentiality, and professionalism in the evolving judicial landscape.

### Recommendation

The Court Interpreters Advisory Panel recommends that the Judicial Council, effective February 21, 2025, approve revisions to the *Professional Standards and Ethics for California Court Interpreters* (Ethics Guide).

The proposed revised Ethics Guide is included as Attachment A.

### Relevant Previous Council Action

The Ethics Guide was last updated in May 2013 (fifth edition).

## **Analysis/Rationale**

The *Professional Standards and Ethics for California Court Interpreters* is based on California Rules of Court, rule 2.890, which covers professional conduct for interpreters (see Link A). The Ethics Guide serves as a critical resource for ensuring that interpreters maintain professionalism and uphold the ethical standards required by the California judicial system. Last updated in 2013 (see Link B), the authors of the ethics document could not have anticipated the significant changes in the courts and the interpreting profession that have occurred in both the pre- and post-COVID-19 world, including the rise of remote and hybrid courtrooms and the pervasive influence of social media.

The proposed revisions address these gaps by providing updated guidance that will support interpreters in navigating these modern challenges. By aligning the Ethics Guide with contemporary practices and updated training formats, these revisions ensure that interpreters are equipped to uphold impartiality, confidentiality, and professionalism in the evolving judicial landscape.

Judicial Council staff worked closely on the revisions with the Professional Standards and Ethics Subcommittee of the Court Interpreters Advisory Panel (CIAP). On September 24, 2024, CIAP approved the revised Ethics Guide to circulate for public comment. Most of the content from the 2013 version has been retained; however, the document (formerly referred to as the Ethics Manual) has been updated and placed in bulleted format for ease of reading. Two new sections have been added: ethics for remote interpreting and ethics for social media. Also, more depth has been added to provide guidance to interpreters on how to handle real-world situations (with specific examples and best practices).

Key proposed changes include:

- The alignment of the content with a redesigned, live ethics training that is required for new interpreters and a new, online ethics refresher that is required every two years for more experienced interpreters.
- Clearer guidelines on the use of technology, the background setup, and professional conduct during remote and hybrid court appearances.
- Ethical considerations for court interpreters who use social media.
- Strengthened guidance on how to handle conflicts of interest in remote and in-person court environments.

## **Policy implications**

By providing clearer guidance and incorporating contemporary issues, the revisions enhance interpreter accountability, professional development, and accessibility, while supporting the judiciary's mandate to uphold justice and provide fair and impartial treatment for all language users. Additionally, aligning the updates with live and online ethics training will ensure that interpreters are well-equipped to meet the dynamic demands of their essential and important role in the courts, thereby strengthening the administration of justice statewide.

## **Comments**

This proposal circulated for comment from October 16 through November 27, 2024. Three comments were received. The commenters included the Superior Court of Los Angeles County, the Superior Court of Orange County, and a community member.

The Superior Court of Los Angeles County supported the proposal and provided detailed recommendations. These included suggestions to clarify guidance on confidentiality, interpreter conduct in remote and hybrid settings, and sight translation practices, as well as adjustments to language regarding fatigue management for interpreters. The committee acknowledges these thoughtful suggestions and has incorporated these changes to strengthen and align the guidelines with current best practices.

The Superior Court of Orange County expressed agreement with the proposal and commended the updates as well-crafted, reflecting CIAP's effort to address technological and ethical challenges. The court suggested allowing interpreters to retain notes related to learning new or challenging terminology for professional development and made additional recommendations to improve clarity and consistency in language. The committee appreciates this feedback and has incorporated these changes to enhance the guide's usability.

The community member's comment focused on broader concerns regarding access for indigenous and dialect-specific languages, as well as language justice and the equitable allocation of court resources. While these issues are important, they fall outside the scope of CIAP's annual agenda project to update the ethics document with current considerations and guidance to improve interpreters' ethical and professional performance in the courts.

A chart with the full text of the comments and CIAP's responses is attached at pages 5–15.

## **Alternatives considered**

No alternatives were considered. The 2013 ethics document is outdated, and CIAP's annual agenda called for an update to the Ethics Guide. With the increased reliance on remote interpreting and the heightened use of social media, the committee determined that an update was necessary to ensure court interpreters could navigate these evolving challenges while upholding ethical standards.

## **Fiscal and Operational Impacts**

The proposal is expected to have a minimal fiscal impact on courts, as most updates involve guidance, procedural clarifications, and best practices. However, additional training may be required for interpreters and court staff, particularly in the areas of ethics for remote and hybrid interpretation.

## **Attachments and Links**

1. Chart of comments, at pages 5–15

2. Attachment A: *Professional Standards and Ethics for California Court Interpreters* (sixth edition, February 2025)
3. Link A: Cal. Rules of Court, rule 2.890,  
[www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2\\_890](http://www.courts.ca.gov/cms/rules/index.cfm?title=two&linkid=rule2_890)
4. Link B: *Professional Standards and Ethics for California Court Interpreters* (fifth edition, May 2013), <https://languageaccess.courts.ca.gov/sites/default/files/partners/default/2024-03/CIP-Ethics-Manual.pdf>

## SP24-10

### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
1.	Ana [no last name provided], Community Member, Los Angeles	N	There should be more access to individual dialects with in the Spanish language. To be more accessible to the various dialects within the Indigenous community. With the budget that the courts are currently there should be much more material in various different languages. The courts are aware there have been discrepancies and the funds must be appropriately used. Language justice is what the courts should be representing and echoing the needs of their respective communities, the courts represent the communities. Many community members have been affected and this should be a highlight in this proposal. Now that you know better please do better and put your best foot forward serving the needs of our community. There are many languages that are being under-served due to lack of translation services please make this correction and meet the needs of many across various courts not just Los Angeles or Fullerton.	<p>The committee thanks the commenter for taking the time to share their thoughts and concerns. We appreciate your commitment to language access and your advocacy for better representation of the diverse linguistic needs of California's communities.</p> <p>While the comments highlight important issues related to language justice and access to dialect-specific and indigenous language resources, these concerns fall outside the scope of this Court Interpreters Advisory Panel (CIAP) 2024 Annual Agenda project, which is to revise and update the Professional Standards and Ethics for California Court Interpreters.</p>
2.	Superior Court of Los Angeles by Stephanie Kuo, Legislative Analyst	AM	<p>The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular officer or employee.</p> <p>In response to the Judicial Council of California's "ITC SP24-10: Court Interpreters: Professional Standards and Ethics for California Court Interpreters," the Superior Court of California, County of Los Angeles (Court), agrees with proposal if the listed modifications below are incorporated.</p>	<p>The committee thanks the commenter for their comment. We acknowledge and value your helpful feedback for specific changes and have incorporated many of your suggestions (see below).</p>

## SP24-10

### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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	Commenter	Position	Comment	Committee Response
			<p>We believe the proposal appropriately addresses the state purpose. It is clear to the Court's Language Access Services Department that the <i>Court Interpreter Advisory Panel</i> proposes to revise the published <i>Professional Standards and Ethics for California Court Interpreters (fifth edition)</i>.</p> <p>In regard to other potential ethical considerations for individual sections, we recommend rewriting the following:</p> <p>Page 6: <b>Officer of the Court</b>, first paragraph, 3<sup>rd</sup> sentence:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> It's a good idea to keep your cell phone off while you're working to avoid interruptions or distractions.</li><li>• <b>Recommended:</b> It's a good idea to keep your cell phone off while you are interpreting to avoid interruptions or distractions.</li><li>• Interpreters should keep their contact tools on and enabled when not interpreting but are working and may be available for assignments.</li></ul> <p><b>Officer of the Court</b>, second paragraph, 1<sup>st</sup> sentence:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> Additionally, you may want to inform other judicial officers about this Ethics Guide.</li><li>• <b>Recommended:</b> Additionally, the Court may want to inform judicial officers</li></ul>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

## SP24-10

### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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	Commenter	Position	Comment	Committee Response
			<p>about the Professional Standards and Ethics for Court Interpreters guide.</p> <ul style="list-style-type: none"><li>Seems that rather than having the interpreter do this on an individual basis, this can be done by Language Access Unit on behalf of the interpreters.</li></ul> <p><b>Rules of Conduct for Court Interpreters,</b> second bullet under best practices for appropriate representation of your qualifications:</p> <ul style="list-style-type: none"><li><b>Original:</b> Wear your badge so that it is easily visible when you are working; take off your badge when not working.</li><li><b>Recommended:</b> Wear your badge so that it is easily visible when you are working; take off your badge in accordance with your Court's security protocol and when you are not working.</li><li>There may be security protocols that require the interpreter to keep their badge on while they are in secured court spaces.</li></ul> <p>Page 10: <b>Personal Interactions</b>, 5<sup>th</sup> bullet, last sentence:</p> <ul style="list-style-type: none"><li><b>Original:</b> Use your discretion based on the specifics of the situation</li><li><b>Recommended:</b> Use your discretion based on the specifics of the situation and court policy.</li><li>There may be security protocols that require the interpreter to keep their</li></ul>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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	Commenter	Position	Comment	Committee Response
			<p>badge on while they are in secured court spaces.</p> <p>Page 11: <b>Confidentiality of Privileged Communications</b>, 13<sup>th</sup> bullet:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> Confidentiality applies to “in camera” (closed) hearings, grand juries, and juvenile matters.</li><li>• <b>Recommended:</b> Confidentiality applies, but is not limited to, to “in camera” (closed) hearings, grand juries, and juvenile matters.</li><li>• This is not a comprehensive list of confidential case types, for example adoptions, LPS, CARE Court, Parentage cases before 2023, etc.</li></ul> <p>Page 12: <b>Do Not Give Legal Advice</b>, 5<sup>th</sup> and 6<sup>th</sup> bullets:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> Direct them to the attorney</li><li>• <b>Recommended:</b> Direct them to the attorney or court staff</li><li>• Some parties may not have an attorney.</li></ul> <p>Page 13: <b>Impartial Professional Relationships</b>, add new bullet:</p> <ul style="list-style-type: none"><li>• <b>Recommended:</b> Interpreters who are employees shall follow Court policies, procedures, and Code of Ethics Guidelines.</li></ul> <p>Page 17:</p>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>



## SP24-10

### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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Commenter	Position	Comment	Committee Response
		<p><b>Personal Conduct While Working Remotely or in a Hybrid Environment</b>, 2nd bullet:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> Dress professionally and select a neutral background</li><li>• <b>Recommended:</b> Dress professionally and select a neutral or court approved background</li><li>• Some courts provide a designated background to be used.</li></ul> <p><b>Personal Conduct While Working Remotely or in a Hybrid Environment</b>, 10<sup>th</sup> bullet:</p> <ul style="list-style-type: none"><li>• <b>Recommended:</b> If you are team interpreting for a remote proceeding, you must act professionally even when you are not actively interpreting.</li></ul> <p><b>Personal Conduct While Working Remotely or in a Hybrid Environment</b>, 13<sup>th</sup> bullet:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> If the court is unable to assist and you believe you cannot provide a complete and accurate interpretation under the present conditions, you may recuse yourself.</li><li>• <b>Recommended:</b> If the court is unable to assist and you believe you cannot provide a complete and accurate interpretation under the present conditions, and you cannot reasonably transition to in person interpreting, you may recuse yourself.</li><li>• Some remote interpreting rooms may be in the same building as the hearing is taking place.</li></ul>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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	Commenter	Position	Comment	Committee Response
			<p>Page 21: <b>Interpreter Conduct on Social Media</b>, second sentence:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> It reviews the ethical challenges that may apply to interpreters who utilize social media platforms including Facebook, X (formerly Twitter, and LinkedIn.</li><li>• <b>Recommended:</b> It reviews the ethical challenges that may apply to interpreters who utilize social media platforms including, but not limited to, Facebook, X (formerly Twitter), and LinkedIn.</li><li>• There may be other social media sites used by interpreters.</li></ul> <p>Page 22: <b>Impartiality</b>, first bullet:</p> <ul style="list-style-type: none"><li>• <b>Original:</b> An interpreter should not make specific endorsements or professional referrals on social media – for example, endorsements of or referrals to attorneys, interpreting agencies, or doctors.</li><li>• <b>Recommended:</b> An interpreter should not make specific endorsements or professional referrals on social media – for example, endorsements of or referrals to attorneys, interpreting agencies, doctors, or other professionals.</li></ul>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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	Commenter	Position	Comment	Committee Response
			<ul style="list-style-type: none"><li>• Suggest not limiting the list to specific professionals.</li></ul> <p>Pages 23 –26: <b>Common Issues for Complete and Accurate Interpretation:</b></p> <ul style="list-style-type: none"><li>• Suggest replacing he/him and she/her pronouns with “they, their, them, etc.” to be gender neutral.</li></ul> <p>Page 27: <b>Common Impediments to Performance (Live &amp; Remote):</b></p> <ul style="list-style-type: none"><li>• <b>Move:</b> You may find you get more fatigued working remotely, owing to the additional load of staring at a video screen, lack of visual clues, inconsistent quality of audio, etc. Monitor this and request breaks as needed.</li><li>• Suggest moving this paragraph to the technical equipment issues section. The paragraph before and after provide information on “how to handle”</li><li>• <b>Original:</b> Work as a team with another interpreter, alternating 20 minutes on and 20 minutes off to prevent fatigue, ensure accuracy, and avoid interruptions to the proceedings.</li><li>• <b>Recommended:</b> Work as a team with another interpreter, alternating with each other to prevent fatigue, ensure</li></ul>	<p>Where appropriate, the committee has incorporated this change.</p> <p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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	Commenter	Position	Comment	Committee Response
			<p>accuracy, and avoid interruptions to the proceedings.</p> <ul style="list-style-type: none"><li>• Specifying the amount of time to take for a break in this section may contradict language in MOUs for team interpreting agreements. Also, this is a change from 30 minutes in prior version of the standards.</li><li>• <b>Move:</b> You may find additional difficulty while working remotely due to technical factors that are out of your control, such as network bandwidth or ambient noise.</li><li>• Suggest moving this paragraph to the technical equipment issues section. The paragraph before provides information on “how to handle.”</li><li>• <b>Move:</b> You may find additional difficulty with people talking over each other while working remotely owing to technical factors that are out of your control, such as network bandwidth, ambient noise, or software limitations.</li><li>• Suggest moving this paragraph to the technical equipment issues section. The paragraph before provides information on “how to handle.”</li><li>• <b>Move:</b> You may find additional difficulty with people talking too softly, mumbling, etc. while working remotely owing to technical factors that are out of your control, such as network bandwidth, ambient noise, or software limitations.</li></ul>	<p>The committee has added the following: “Alternating times are usually 30 minutes, but check with the court to see if there is MOU language or other guidance regarding prescribed times for alternating while team interpreting.”</p> <p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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	Commenter	Position	Comment	Committee Response
			<ul style="list-style-type: none"><li>• Suggest moving this paragraph to the technical equipment issues section. The paragraph before provides information on “how to handle.”</li><li>• <b>Original:</b> Network outages, variable bandwidth and network speed, and software glitches are out of the interpreter’s control. If technical issues preclude the interpreter from providing complete and accurate interpretation, the interpreter must inform the judge, attorney, and parties.</li><li>• <b>Recommended:</b> Network outages, variable bandwidth and network speed, and software glitches are out of the interpreter’s control. If technical issues preclude the interpreter from providing complete and accurate interpretation, the interpreter must inform the judge, attorney, and parties. Technical issues may include things such as software limitations, technical network bandwidth, or ambient noise. Interpreters may experience fatigue introduced from working remotely due to staring at a monitor for prolonged period, lack of visual clues, or inconsistent quality of audio. Monitor fatigue and request breaks as needed.</li><li>• Moving issues introduced due to technical issues or use of remote work equipment to this section.</li></ul>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p>

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### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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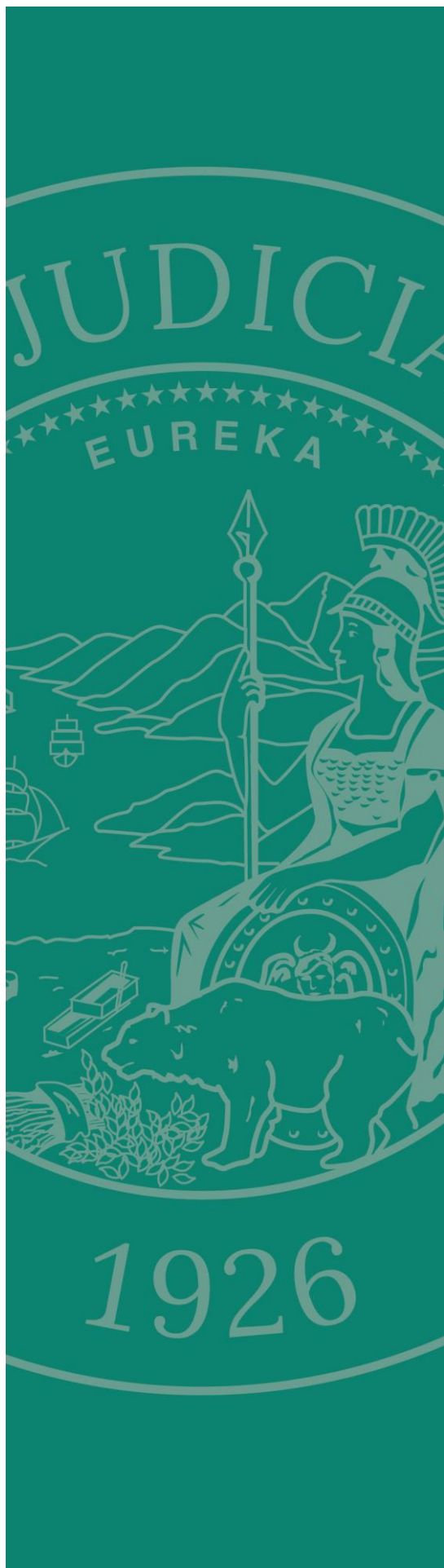
	Commenter	Position	Comment	Committee Response
			<p>Furthermore, this proposal would not result in cost savings for the Court.</p> <p>The proposal would also require communication to judicial officers and court interpreters regarding the update to the <i>Professional Standards and Ethics for California Court Interpreters</i>. CMS updates are not required.</p> <p>Finally, this proposal would work for courts of different sizes.</p>	
3.	Superior Court of Orange County by Alma Guzman, Language Access Services Manager	AM	<p>The proposal addresses the stated purpose by addressing the changing technological landscape of the profession while remaining faithful to the California Rules of Court.</p> <p>On page 10 and 18, where it states: “Properly delete or destroy/shred any documents shared and your interpreting notes.” Recommend allowing interpreters to retain notes related to new or challenging terminology to enhance professional development.</p> <p>There are no operational impacts that would create specific cost savings. The only perceivable cost savings would derive from compliance with the Ethics Guide as non-compliance may result in delayed proceedings.</p> <p>The updated Ethics Guide would have no impact on court operations that might necessitate changes to processes, procedures, or case management systems.</p>	<p>The committee thanks the commenter for their comment. We acknowledge and value your helpful feedback for specific changes and have incorporated many of your suggestions (see below).</p> <p>The committee has incorporated this change.</p>

## SP24-10

### Court Interpreters: Professional Standards and Ethics for California Court Interpreters

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	Commenter	Position	Comment	Committee Response
			<p>Court interpreter ethics are not relevant to or impacted by the size of the court.</p> <p><b>General Comments</b> The updates to the Ethics Guide are well-crafted, reflecting a collaborative effort by the Court Interpreter Advisory Panel (CIAP) to address modern technology and social media's impact on court interpreters. I commend the CIAP members for advancing professional standards and ethics. Well done.</p> <p>On page 4, second paragraph in the Introduction to the Ethics Guide, delete the second “who” in the third sentence.</p> <p>On page 11, third bullet point under Sight Translation and written translation of documents, the sentence could be clearer and more concise, for example: It is generally advisable not to sight translate lengthy documents (exceeding one page) directly into the record and in open court due to the considerable time required for such translations.</p> <p>In Appendix B, under Fatigue, alternating interpreters can be impactful and distracting to the jurors and proceedings in general. Recommend every 30 to 45 minutes, instead of 20 minutes.</p>	<p>The committee has incorporated this change.</p> <p>The committee has incorporated this change.</p> <p>The committee has added the following: “Alternating times are usually 30 minutes, but check with the court to see if there is MOU language or other guidance regarding prescribed times for alternating while team interpreting.”</p>



# **Professional Standards and Ethics for California Court Interpreters**

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Sixth Edition, February 2025



Judicial Council of California



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# Professional Standards and Ethics for California Court Interpreters

## Introduction

The *Professional Standards and Ethics for California Court Interpreters* (hereafter “Ethics Guide”) provides guidance for certified and registered court interpreters on how to conduct themselves appropriately on the job. The Ethics Guide also provides guidance for provisionally qualified interpreters, who assist the court when a certified or registered interpreter is not available. The Ethics Guide can also be used as a reference for other court staff such as judges, attorneys, court clerks, and bailiffs.

The ethical and professional standards outlined in the Ethics Guide offer guidance on how interpreters can navigate a range of ethically challenging situations they may encounter in their work. These challenges could arise while working in person, remotely, in a traditional courtroom, in a hybrid courtroom, or at a proceeding outside of court. These challenges are shared by all persons who may participate in or observe interpreted court proceedings: the judge, attorneys, parties, jury members, and other court staff. It is important for everyone to have a clear, shared understanding of the interpreter’s role, responsibilities, and limitations.

The Ethics Guide is based on California Rules of Court, [rule 2.890](#) (Professional conduct for interpreters), which every interpreter should be familiar with. Interpreters are also bound by the laws found in the California Evidence Code [sections 750–755.5](#).

Interpreter ethics is an evolving topic, and new ethical challenges continually present themselves for interpreters. Under the direction of the Court Interpreters Advisory Panel and its Professional Standards and Ethics Subcommittee, the Ethics Guide has been updated from the 2013 edition to include new sections on ethics for remote and hybrid interpreting and social media.<sup>1</sup>

The Ethics Guide is not intended to be a substitute for formal interpreter ethics training. The topics herein are covered in much greater depth in “Interpreter Orientation,” an online course that is required for all newly credentialed court interpreters, and “Ethics Training” a virtual workshop that is required to be completed within a new interpreter’s first two years. Although newly credentialed interpreters may take their required ethics training at any time during their first two-year compliance cycle, it is recommended to do so as early as possible, preferably prior to accepting court assignments if practicable. It is critical for new interpreters to have a solid understanding of interpreter ethics and professional standards prior to accepting interpreting assignments, whether for courtroom work or work in the private sector. It is the interpreter’s

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<sup>1</sup> This document replaces and updates the previous version from 2013. A downloadable PDF version of this document can be found [here](#). The current document provides in Appendix E links and attachments for content that were previously incorporated as text in the main paginated document. This change was made to streamline the document and make it easier for interpreters to read on screen and for Judicial Council staff to update, while still preserving the detailed content from prior versions for those who wish to download or print out attachments.

responsibility to review and become familiar with the ethical and professional standards that are applicable to their job.

A refresher course in ethics is also available for experienced interpreters. “Ethics Refresher” is now required to be taken every two years by all credentialed interpreters after an interpreter’s first two years. It is a good practice and strongly recommended for interpreters at every level to incorporate some ethics training into their continuing education during every two-year compliance cycle. More information on the free ethics courses offered by the Judicial Council for interpreters can be found on the Language Access Services “[Learning Management System](#)” webpage.

Training, specific judicial education, bench cards, and other resources on how to work with an interpreter are also available for court staff and judges. Court staff should contact the Court Interpreters Program or the Center for Judicial Education and Research for more information.<sup>2</sup>

## **Officer of the Court**

Interpreters are officers of the court and as such are expected to uphold the highest personal and professional standards of integrity and accuracy, not only for their interpretations but also in their business practices.

This includes, but is not limited to, submitting timely and accurate billing to reflect only actual work performed and only mileage and/or travel time authorized for and by the court. Deliberately falsifying hours or billing, whether the interpreter is a court employee or contractor, is grounds for review and potential revocation of the interpreter’s credential. It may result in the interpreter being banned from working in court and from recertifying or reinstating his or her credential. For more information, see the “[Court Interpreters Complaints](#)” page on the Language Access Services website.

Further, as officers of the court, interpreters should always conduct themselves professionally, whether working in person or remotely, whether in court or in another environment. Interpreters should always follow these professional standards and ethics, whether they are communicating in person or on social media platforms.

Professional conduct includes dressing professionally and being punctual. If working remotely, allow sufficient time for logging in and testing your computer setup. If working in person, allow enough time to park, pass through building security, and find the location of your assignment.

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<sup>2</sup> Ethics courses for interpreters at every level are available from Judicial Council-approved continuing education providers. A list of these providers can be found at <https://languageaccess.courts.ca.gov/publication/list-providers-court-interpreter-minimum-continuing-education-cimce-credit>. Additional resources on interpreter ethics have been included in Appendix D of this document. You will also find more information on interpreter ethics by searching on the National Center for State Courts’ website ([www.ncsc.org](http://www.ncsc.org)).

You must also learn and follow the required courtroom protocols, such as where to position yourself and how to address the court. Professional conduct applies to appropriate use of cellphones and smart phones on the job. It's a good idea to keep your cellphone off while you are interpreting to avoid interruptions or distractions. Avoid glancing at your phone while working; it is a serious detriment to your ability to maintain your focus and concentration, both of which are required to deliver a complete and accurate interpretation. If you must refer to an electronic dictionary on your cellphone while interpreting, please do so discreetly. If you are unable to do so, or feel like it might break your concentration while interpreting, please request a short recess. Interpreters should keep their contact tools on and enabled when they are not interpreting but are working and may be available for assignments.

Additionally, the court may want to inform judicial officers about the Ethics Guide. They should also have a good understanding of the interpreters' responsibilities and limitations to ensure a smooth, problem-free interpreted proceeding.

## **Rules of Conduct for Court Interpreters**

The rules of conduct for court interpreters are documented in the California Rules of Court, as previously referenced. This rule is discussed individually below by subsection, along with the ethical and professional conduct implications for interpreters.

### **Rule 2.890(a) (Representation of Qualifications)**

An interpreter must accurately and completely represent his or her certifications, training, and relevant experience.

(Cal. Rules of Court, rule 2.890(a).)

Best practices for appropriate representation of your qualifications include:

- Maintain your credential in good standing by meeting all compliance requirements and paying annual renewal fees. See the [\*Compliance Requirements for California Certified Court and Registered Interpreters\*](#).
- Wear your badge in a clearly visible location while working. Follow your court's security protocol regarding when to remove it. Some security protocols may require interpreters to keep their badge on while in secured court areas.
- Leave your badge on to identify yourself, if needed, so that other parties refrain from discussing case details in your presence.
- Do not misrepresent your credentials or the status of your credential to obtain work. For example, if an interpreter is certified in Mandarin and speaks but is not certified in Cantonese, he or she should not interpret in the noncertified language unless provisionally qualified to do so by a judge.

California does not currently offer an examination to become credentialed as an American Sign Language (ASL) court interpreter because there is no entity available at this time to administer certification exams in our state. Certified ASL court interpreters (currently in good standing) may possess any of the following credentials:

- Specialist Certificate: Legal (SC:L), which was formerly issued by the Registry of Interpreters for the Deaf, Inc.
- Legal Interpreting Certificate, which was formerly issued by the California Coalition of Agencies Serving the Deaf and Hard of Hearing, Inc. before October 20, 2006.
- The Texas Board for Evaluation of Interpreters (BEI) Court Interpreter Certificate (CIC), which is currently offered and issued by the Texas Office of Deaf and Hard of Hearing Services.

California is now offering reciprocity for ASL court interpreters who have passed the Texas BEI CIC and are credentialed by Texas and in good standing. Please refer to the “[Certified American Sign Language Interpreter](#)” webpage for updated information.

### **Rule 2.890(b) (Complete and Accurate Interpretation)**

An interpreter must use his or her best skills and judgment to interpret accurately without embellishing, omitting, or editing. When interpreting for a party, the interpreter must interpret everything that is said during the entire proceeding. When interpreting for a witness, the interpreter must interpret everything that is said during the witness’s testimony.

(Cal. Rules of Court, rule 2.890(b).)

### ***Interpreter’s oath***

Regarding your interpreter’s oath, please keep the following in mind:

- You must ensure your signed oath is on file with the court. If you do not have an oath on file with the court, you will be sworn in at the proceeding at the beginning of your assignment.
- For each proceeding, you will swear to “well and truly interpret to the best of your ability completely and accurately,” prior to interpreting on the record.
- Please take your oath to heart. Keep in mind there is much at stake for the limited-English-proficient individuals for whom you will be interpreting. The judges, jurors, attorneys, court reporters, witnesses, defendants, and victims will have only your interpretation to rely on.

### ***Complete and accurate interpretation guidance***

The following provide guidance for delivering a complete and accurate interpretation:

- Interpret everything said faithfully and accurately, conserving all elements of the source

message in the target language.

- Do not mimic the speaker's gestures, and do not use gestures yourself or be overly dramatic to convey emotion.
- Never address a witness or speaker directly; this will create confusion and potentially the appearance of bias.
- All communication from the interpreter should be directed to the judge, attorney, or court reporter.
- Always refer to yourself in the third person as "the interpreter."
- If you are interpreting remotely, ensure your screen name indicates "Interpreter."
- Always stay on camera when working remotely, unless taking an official break.
- If onscreen glare is causing additional fatigue that could impact the completeness or accuracy of your interpretation, request to turn your camera off.
- In a civil matter, if the interpreter is instructed to not interpret objections, he or she can make a statement on the record to the effect that "per the professional standards and ethics guidelines for interpreters, published by the Judicial Council, interpreters are expected to interpret everything said during the proceeding. At the request of [INSERT ATTORNEY'S NAME], the interpreter is not interpreting colloquy between attorneys, and objections, unless specifically instructed to do so." You may adjust the specific wording as needed so that it fits your particular situation.

For additional guidance on common issues interpreters encounter while trying to deliver a complete and accurate interpretation, see [Appendix A: Common Issues for Complete and Accurate Interpretation](#).

### **Rule 2.890(c) (Impartiality and Avoidance of Conflicts of Interest)**

#### **(1) Impartiality**

An interpreter must be impartial and unbiased and must refrain from conduct that may give an appearance of bias.

#### **(2) Disclosure of conflicts**

An interpreter must disclose to the judge and to all parties any actual or apparent conflict of interest. Any condition that interferes with the objectivity of an interpreter is a conflict of interest. A conflict may exist if the interpreter is acquainted with or related to any witness or party to the action or if the interpreter has an interest in the outcome of the case.

#### **(3) Conduct**

An interpreter must not engage in conduct creating the appearance of bias.

#### **(4) Statements**

An interpreter must not make statements to any person about the merits of the case until the litigation has concluded.

(Cal. Rules of Court, rule 2.890(c).)

### ***Opinions and statements***

Best practices for managing opinions and statements include:

- Do not express opinions about the cases you work on, or parties involved in your cases.
- If an attorney asks your opinion, politely explain that interpreters are not allowed to express opinions about cases they work on.
- Do not share opinions about your cases with other interpreters.
- Make no verbal or written statements about a case, its merits, its parties, or its outcome.
- Do not post or respond to posts on social media about the cases you work on.
- Do not make statements to the press or media about cases you are working on.
- Consider refraining from making statements altogether to the media or on social media about cases you have worked on even after the case has concluded.

### ***Emotions***

Best practices for handling emotions on the job include:

- Remain neutral and always maintain a professional demeanor.
- Do not display your emotions (e.g., anger, pity, fear, disgust, empathy) as you are interpreting, regardless of the message. Doing so could bias the jury, witnesses, court personnel, or others.
- If you feel unable to maintain your composure while interpreting, request a break.

### ***Conflict of interest and interpreter bias***

A conflict of interest is when the interpreter has a personal interest in or could personally benefit from the outcome of a case. Below are some best practices for how to avoid conflicts of interest and the perception of interpreter bias:

- Immediately inform attorneys or the judge, or both, of any conflict of interest or potential or perceived conflict of interest.
- Disclose prior involvement in a case to the parties, attorneys, and the judge.
- Do not develop a bias, do not give the appearance of bias, and do not take sides.
- Treat all parties equally, neutrally, and professionally.
- Accept no gifts, favors, tips, or gratuities from the parties, attorneys, court staff, etc. This also includes things such as accepting or offering rides (for money or gratis) to and from court. Though this seems innocent enough, it could create the appearance of bias.
- Refrain from any behaviors that could create the appearance of bias (e.g., hugging a client or an attorney).



- For interpreters of languages of lesser diffusions, where there are not as many certified or registered interpreters available, take care to not work outside of court on a case you will be interpreting for in court to also avoid the appearance of bias or a conflict of interest.
- If, because of a shortage of interpreters in a particular language, an interpreter must work on both sides of a case, maintaining neutrality, avoiding even the slightest appearance of bias, and maintaining strictest standards of confidentiality for all information will be required.

### ***Personal interactions***

Below are some best practices for how to manage personal interactions with parties, attorneys, and others, which will help you to avoid the appearance of bias or a potential conflict of interest. These practices will also assist you in avoiding other ethical breaches, such as inadvertently giving legal advice:

- Do not have direct, personal conversations with clients you're interpreting for.
- Do not directly interact with members of the jury or discuss the case with them even after the matter is resolved.
- Do not interact with court or law enforcement personnel while you are working on a case except in a professional capacity.
- Refer questions from the public about the case to appropriate court personnel.
- Avoid potentially compromising situations by taking off your interpreter badge when you are not working—for example, when you leave your assignment to take your lunch break or when you are on your way out of the courthouse after work. However, it may also be appropriate to leave it on to identify yourself in case you are surrounded by jurors or similarly while entering or leaving the courtroom. Use your discretion based on the specifics of the situation and court policy.
- Security protocols may require the interpreter to keep their badge on while they are in secured court spaces.
- Do not hand out business cards while on the job or solicit for additional work. If someone asks for your personal contact information, refer them to the court personnel (i.e., judge, attorney, interpreter services coordinator for the court) as appropriate.

### **Rule 2.890(d) (Confidentiality of Privileged Communications)**

An interpreter must not disclose privileged communications between counsel and client to any person.

(Cal. Rules of Court, rule 2.890(d).)

Below are some best practices for managing confidential and privileged communications:

- Treat all information as confidential.
- If interpreting remotely, you should be in a secure, private place, free of distractions.
- Ensure your computer audio is not leaking into the public domain.

- Properly destroy all documents shared for the proceeding and your case-related interpreting notes. Note: You may retain your notes related to new or challenging terminology to enhance your professional development.
- Interpreters are bound by the same rules of confidentiality as attorneys.
- An interpreter may not be called as a witness against a client he or she has interpreted for if the communications were privileged.
- If an interpreter has interpreted nonprivileged communications for a client, he or she can potentially be called as a witness against that client.
- The best way for an interpreter to avoid inadvertently being called as a witness against a client is to understand his or her role, responsibilities, and limitations, and to not exceed them. Remain neutral at all times and take care to avoid giving any appearance of bias.
- Attorney-client privilege does not apply the same to interpreted communications between prosecutors and prosecution witnesses as it does between an attorney and a defendant.
- An interpreter should not reveal the content of interpreted conversations.
- If there is any doubt about confidentiality, do not share information.
- Do not break confidentiality unless ordered by a judge to do so.
- Confidentiality applies but is not limited to “in camera” (closed) hearings, grand juries, and juvenile matters.
- Do not comment on evidence you see or hear prior to it being presented in court.

#### ***Sight translation and written translation of documents***

- California certified court or registered interpreters are authorized in a judicial proceeding to interpret orally the verbal content of documents (sight translation), but the Judicial Council does not otherwise test or certify an interpreter’s written translation skills.
- If an interpreter is asked to sight translate any document into the record in court, whether a written document, text messages on a cellphone, an email, etc., it is recommended to request a brief recess to review and assess the material.
- It is generally advisable not to sight translate lengthy documents (exceeding one page) directly into the record and in open court due to the considerable time required for such translations.
- If the document is long, dense, and/or complex, and would require the interpreter to do additional research and preparation prior to translating (either sight translating or translating in writing), when returning from the break, inform the court of this and request the time necessary to prepare.
- You may also remind the court it is in the best interest of all parties to take the necessary time to prepare the translation to ensure completeness and accuracy.
- If the source material is short (less than one page) and the interpreter believes he or she can provide a smooth, complete, and accurate sight translation into the record in open court, then that would be appropriate, and he or she can proceed. Exercise caution and discretion.
- While the Judicial Council does not otherwise test or certify an interpreter’s written translation skills, Government Code section 27293 permits California county clerks to certify documents translated into English only if the document has been translated

by [American Translators Association](#)—certified translators, California certified court interpreters, or California registered interpreters.<sup>3</sup>

- If you are asked to provide a written translation of a document, apply the same standards of care and accuracy as for verbal interpretation.
- If you undertake a written translation, never go beyond your translation skill, especially if the translation you performed will be certified by a county clerk.
- Confidentiality also applies to translations and transcriptions of written materials.
- You may be required to testify about written translations, so be careful and check your translation.

### **Rule 2.890(e) (Do Not Give Legal Advice)**

An interpreter must not give legal advice to parties and witnesses, nor recommend specific attorneys or law firms.

(Cal. Rules of Court, rule 2.890(e).)

Below are some best practices for interpreters regarding not giving legal advice:

- On the record, interpret the speaker's questions; do not answer them.
- If the speaker addresses you (the interpreter) directly, interpret exactly what has been said. If there is ambiguity, allow the attorneys or judge to request clarification.
- Off the record, do not answer questions from clients regarding their cases or any other legal matter; explain you are not an attorney and you do not know the answer.
- You may politely and briefly answer general questions such as hours or time and date of the next proceeding or directions to the restroom or parking lot.
- Do not discuss a client's case with him or her; if a client has questions about his or her case, direct the client to the attorney.
- Do not discuss a client's case with the client's friends or family, or other witnesses. Direct them to the attorney or court staff if the party does not have an attorney.
- For self-represented parties, do not suggest that they could benefit from an attorney and do not make any specific referrals to any attorneys.

### **Rule 2.890(f) (Impartial Professional Relationships)**

An interpreter must maintain an impartial, professional relationship with all court officers, attorneys, jurors, parties, and witnesses.

(Cal. Rules of Court, rule 2.890(f).)

Best practices for interpreters regarding impartial professional relationships include:

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<sup>3</sup> You may also review the relevant Government Code sections regarding written translations at [https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=GOV&sectionNum=27293](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV&sectionNum=27293).

- The interpreter is an officer of the court and must always remain neutral.
- The interpreter may be called on to assist any or all the parties during the case.
- The interpreter should ensure they are not perceived as being on one “team” or another.
- The interpreter should remain as unobtrusive as possible; do not draw attention to yourself.
- The interpreter’s job is to facilitate communication between the parties through complete and accurate interpretation, no more and no less.
- The interpreter should address parties formally—for example, Mr. [NAME] or Ms. [NAME], using appropriate pronouns.
- The interpreter should address the judge as “Your Honor”; address attorneys as “Counsel” or Mr. or Ms. [NAME].
- Interpreter should not distribute business cards or solicit work while on the job.
- Interpreter should be judicious on professional networking and social media sites.
- The standards of professional conduct apply to online as well as in-person situations.
- Interpreters who are employees must follow court policies, procedures, and Code of Ethics guidelines.

#### **Rule 2.890(g) (Continuing Education and Duty to the Profession)**

An interpreter must, through continuing education, maintain and improve his or her interpreting skills and knowledge of procedures used by the courts. An interpreter should seek to elevate the standards of performance of the interpreting profession.

(Cal. Rules of Court, rule 2.890(g).)

Court interpreting is a highly regarded profession that requires a high level of skill to perform well. It requires a commitment to lifelong learning and continuing education. Regular ethics training will prepare you to handle new challenges as they come up on the job.

Some best practices for interpreters regarding continuing education and duty to the profession include:

- As much as possible, familiarize yourself with the facts of the case before the case begins.
- Identify potential ethical issues ahead of time so you can respond appropriately.
- Study specialized technical terminology in advance so you will be well prepared.
- Identify glossaries or resources you might need, and have them ready to refer to.
- If you are using a tablet or smart phone as a reference, be unobtrusive with it in court.
- Study jury instructions ahead of time; you will need to interpret them in their entirety.
- If you are not able to interpret for a case accurately and completely for any reason, you must recuse yourself.
- Inform the judge or the attorneys you are unable to interpret if the level of difficulty and complexity of the case exceeds your current skill level.

- If you must recuse yourself, you might say something like, “Your Honor, the interpreter is unable to provide a complete and accurate interpretation due to [excessive fatigue, source material is beyond the interpreter’s current abilities, etc.; INSERT REASON HERE] and must recuse himself/herself.”
- You might also consider requesting a recess, alerting the interpreter services manager and requesting assistance to properly recuse yourself.

#### Ongoing training:

- Ensure you are always in compliance with your continuing education hours and minimum number of professional assignments. For more details, see the [\*Compliance Requirements for California Certified Court and Registered Interpreters\*](#).
- Incorporate ethics training into your continuing education every compliance cycle. The ethics courses from the Judicial Council can be repeated, but an interpreter can only receive Court Interpreter Minimum Continuing Education credit for them once per compliance cycle.
- On-demand ethics courses from the Judicial Council can be reviewed or retaken at any time. Visit Language Access Services’ [“Learning Management System”](#) webpage for details.
- Continue your professional development by networking with colleagues and joining professional interpreting and translation associations.
- Familiarize yourself with technical equipment for interpreting such as headsets and software for remote interpreting, including video remote interpreting (VRI) software.
- For more information on ethical challenges for remote interpreting, see the next section of this document.
- Find more information on VRI on the [“Video Remote Interpreting \(VRI\)”](#) webpage.

#### **Rule 2.890(h) (Assessing and Reporting Impediments to Performance)**

An interpreter must assess at all times his or her ability to perform interpreting services. If an interpreter has any reservation about his or her ability to satisfy an assignment competently, the interpreter must immediately disclose that reservation to the court or other appropriate authority.

(Cal. Rules of Court, rule 2.890(h).)

For guidance on how to handle common impediments to performance for interpreters, see [Appendix B: Common Impediments to Performance \(Live and Remote\)](#).

### **Rule 2.890(i) (Duty to Report Ethical Violations)**

An interpreter must report to the court or other appropriate authority any effort to impede the interpreter's compliance with the law, this rule, or any other official policy governing court interpreting and legal translating.

(Cal. Rules of Court, rule 2.890(i).)

Below are some best practices for interpreters regarding reporting ethical violations:

- You are required to report any attempt to induce or encourage you to violate any statute, rule, regulation, or policy related to court interpreting.
- You may report these violations to the judge, interpreter coordinator, supervising attorneys, district attorney, or presiding judge of the court.
- Examples of an ethical violation would be if a person tries to bribe an interpreter to not interpret certain testimony, to change what the witness or defendant said, or to tamper with evidence.
- An ethical violation that occurs during a remote proceeding should be reported the same as if it had happened in person.

## **Ethical Challenges for Remote and Hybrid Interpreting**

This section expands on some of the ethical challenges that are unique to remote and hybrid interpreting. Hybrid interpreting is when some of the parties are appearing in person and some are appearing remotely. It also provides guidance on how to effectively navigate these challenges when they come up.

This topic is covered in greater depth in the ethics and VRI courses offered to interpreters by the Judicial Council. For more details, visit Language Access Services' "[Learning Management System](#)" webpage.

### **Remote and Hybrid Interpreting Generally**

Interpreters should remember that everything that applies to in-person interpreting also applies to remote and hybrid interpreting. Remote and hybrid interpreting, however, introduce some extra complexities. The Ethics Guide should be followed whether you are working in person, in a formal courtroom environment, or in a hybrid courtroom, or appearing remotely.

### **Interpreting Credentials**

Interpreters should keep the following in mind when working remotely or on a hybrid assignment regarding the appropriate way to represent their credentials:

- Use your screen name to identify yourself as the “Interpreter” and identify your language (e.g., “Mandarin Interpreter”).
- Remain on camera, unless on a break or you have received permission to turn your camera off to reduce fatigue from screen glare.
- Show your badge to all parties by holding it up to the camera; type your name and certification number into the chat if requested to do so.
- Wear your badge while you are on camera.

### **Being Sworn In Remotely**

Your interpreter oath has the same force and effect while working remotely as it does when you are working in person:

- You will be sworn in prior to the proceeding as if you were interpreting in person.
- Your oath remains in effect even when you are not on camera.

## **Personal Conduct While Working Remotely or in a Hybrid Environment**

Some best practices regarding your personal conduct while working remotely or in a hybrid environment include:

- Be aware that the proceeding may be recorded (even unintentionally), and conduct yourself in the same manner as if you were working in person.
- Dress professionally and select a neutral or court-approved background, or blur your background to minimize visual distractions for participants. Do not blur your background if you are providing ASL interpretation, as doing so can interfere with the clarity of signed communication. Some courts provide a designated background to be used.
- Request participants in the proceeding blur their backgrounds to minimize distractions if this is becoming problematic, except when providing ASL interpretation, as a blurred background can interfere with the clarity of signed communication.
- Make sure you have sufficient connectivity and connection speed, use professional-quality equipment such as a modern laptop or desktop computer, and a noise-canceling headset with a good microphone and keep all software versions up to date.
- Have a backup plan for equipment failures, such as a second laptop or desktop computer, tablet, or smartphone, so the proceeding does not have to be rescheduled.
- Make sure your work area is set up comfortably, so you have enough room for all your equipment, note-taking items, etc.
- Be on time and allow sufficient time to log in and test equipment, connectivity, and software.
- Request a copy of any introductory statement the court would like you to recite, so you can review it before being sworn in.
- Be prepared to interpret the court interpreter's introductory statement regarding video remote interpretations; content may vary.
- If you are team interpreting for a remote proceeding, you must act professionally even when you are not actively interpreting.
- Avoid having multitasking draw attention to yourself while working remotely.
- Should you experience technical issues while working remotely, inform the court and the parties immediately, and remind them that for some limited-English-proficient court users the remote technology platforms are new and confusing to use. Request extra time or a longer recess if necessary to ensure the proceeding continues smoothly.
- If you are unable to provide a complete and accurate interpretation because of issues with a remote or hybrid environment, inform the court immediately and request assistance. If the court is unable to assist and you believe you cannot provide a complete and accurate interpretation under the present conditions, and you cannot reasonably transition to in-person interpreting, you may recuse yourself. You may also inform the interpreter coordinator or file a complaint. Note: Some remote interpreting rooms may be available in the same building while the hearing is taking place.



## **Complete and Accurate Interpretation**

You are ethically bound to provide a complete and accurate interpretation while working remotely, despite technical glitches that may at times make that more difficult than while interpreting in person. Some best practices to assist you are below:

- Never interpret anything that you have not heard completely or fully understood.
- Request a repetition or a read back if there are technical issues such as frozen screen, low bandwidth, or too much background noise.
- If technical issues become an impediment to a complete and accurate interpretation, you must inform the court and the parties immediately.

## **Impartiality and Avoidance of Conflicts of Interest**

Some important points for interpreters to consider regarding impartiality and avoidance of conflicts of interest include:

- Use the chat only when instructed by an attorney, judge, or court reporter. Do not use it for anything unrelated to the current proceeding. However, it is acceptable to use the chat to communicate with court staff.
- Provide only the information requested, such as your name and certification number.
- Turn off your camera and mute audio during breaks.
- Do not have personal conversations with any parties during a remote proceeding, even during breaks.
- If any of the parties, attorneys, or clients inquire about the future availability of the interpreter, refer them to the appropriate person, such as the interpreter coordinator, or defer the discussion until after the proceeding.

## **Confidentiality and Privileged Communications**

When you are interpreting remotely, there are additional important considerations around confidentiality and privileged communications, such as:

- Work from a secure, private place, free of distractions. Do not provide remote interpreting services from your car or any other public place where other people can hear you such as a coffee shop, restaurant, or the public library.
- Do not utilize a shared space if possible; use a private room.
- Keep pets and children off camera; have a neutral background or blur your background for privacy. Do not blur your background if providing ASL interpretation.
- Ensure audio is not leaking into the public domain.
- Ensure any documents shared with you electronically are secure.
- Properly destroy all documents shared for the proceeding and your case-related interpreting notes. Note: You may retain your notes related to new or challenging terminology to enhance your professional development.
- Do not use third-party software to enhance audio or video without prior authorization.

## **Do Not Give Legal Advice**

Some best practices for not giving legal advice when interpreting remotely include:

- Do not give legal advice or answer any questions about legal matters when interpreting remotely.
- Remote proceedings may feel less formal than in person, but they are not.
- Information you provide during breaks or in chat may later be construed as legal advice.

## **Impartial Professional Relationships**

There are additional challenges with maintaining impartiality in a remote setting, such as:

- Do not use the chat feature for personal comments or conversation; doing so may create the appearance of bias.
- Do not have off-the-record conversations with clients or attorneys during a remote proceeding.

## **Continuing Education and Duty to the Profession**

If you will be working remotely, even just occasionally, you may want to include training on the new types of remote conferencing technologies that are used for interpreting. Some best practices for interpreters around continuing education and duty to the profession as they relate to remote interpreting are:

- Prepare for remote assignments the same way you would prepare for in-person events.
- Have any reference materials or other resources (e.g., glossaries or dictionaries) you might need for the assignment ready, open, and available on your desktop.
- If you are not able to interpret for a case accurately and completely because of technical equipment issues, you must inform the judge, attorneys, and parties and recuse yourself.
- Familiarize yourself with technical equipment for interpreting, such as devices, headsets, and remote interpreting and VRI software.
- Incorporate technical equipment training into your continuing education hours.  
Stay up to date with VRI practices by accessing recommended guidelines, online training modules, live and recorded webinars, and various support materials available through the Judicial Council of California.
- See [Appendix D: Guidelines for Video Remote Interpreting](#).

## **Common Impediments for Remote Interpreting**

You must report any impediments to interpreting whether you are working in a remote or in-person proceeding. For a summary of common impediments interpreters encounter while working remotely, see [Appendix B: Common Impediments to Performance \(Live and Remote\)](#).

**Duty to Report Ethical Violations**

You are required to report any attempt to induce or encourage you to violate any statute, rule, regulation, or policy related to court interpreting whether working in person or remotely.

Any ethical violation that occurs during a remote interpreted proceeding should be reported the same as if it had happened in person.

**Technical Issues or Other Problems**

If you experience sporadic technical issues or any other problems during a remote or hybrid event, report issues or feedback to the interpreter coordinator after the event. This information will help the court to make improvements.

## **Interpreter Conduct on Social Media**

This section expands on the Ethics Guide as it applies to interpreter conduct on social media. It reviews the ethical challenges that may apply to interpreters who utilize social media platforms including but not limited to Facebook, X (formerly Twitter), and LinkedIn. It also provides guidance for interpreters on how to navigate some of these challenges and examines how rule 2.890 of the California Rules of Court can be applied.

Appropriate social media conduct for interpreters is also covered in more detail in the ethics courses available from the Judicial Council. For more information, visit the Language Access Services “[Learning Management System](#)” webpage.

### **Interpreters on Social Media Generally**

Interpreters should remember that the same ethical standards that apply in person also apply on social media. The internet poses additional challenges in that once something is propagated on the internet or social media, it has a very long shelf life and may remain searchable forever. It may also be impossible to delete. Further, once information, opinion, or images are posted on social media, the author (in this case, the interpreter) loses control of where, how, when, and by whom these things may be modified, or they may be taken out of context.

With that in mind, consider how the professional standards and ethics for court interpreters should be followed when utilizing social media. While all are important, the most important ethical cannons for interpreters on social media deal with impartiality and confidentiality.

The simplest solution is to keep your work life as an interpreter and your personal life on social media completely separate.

### **Representation of Qualifications**

While on social media, remember:

- Do not misrepresent qualifications on professional networking sites such as LinkedIn for the purpose of getting work.
- Do not post images of your badge or credential or certification number. These could be stolen from the internet and used by another person.

If you find someone is using your credential, report it immediately to the Judicial Council.

### **Personal Conduct on Social Media**

Interpreters should keep in mind that everything on the internet is considered discoverable, meaning it may be identified later as a document that is demanded for inspection. Below are some best practices for interpreter personal conduct on social media:

- Remember that your personal conduct online and on social media will reflect on you in your in-person, professional work.
- You may not be able to delete something from the internet that you later regret posting.
- Social media posts may be used as evidence in court proceedings.

### **Impartiality**

Social media provides a platform where many people feel comfortable aligning with specific causes or expressing their opinions. There are many opportunities, and increasing pressure, to monetize your social media presence. However, interpreters should keep the following in mind as it applies to behavior on social media:

- An interpreter should not make specific endorsements or professional referrals on social media—for example, endorsements of or referrals to attorneys, interpreting agencies, doctors, or other professionals.
- Be aware that your social media “friend relationships” could also give the appearance of bias or conflict of interest.

### **Confidentiality and Privileged Communications**

The following are some best practices for protection of confidentiality and privileged communications on social media:

- Never post confidential information on any social media site.
- Refrain from posting about your cases on social media.
- Do not post opinions about cases or their merits or any of the parties.
- Be mindful that anything you post may be linked to by another site or lifted and used out of context by another person.
- Do not post photos from your interpreting assignments.

### **Do Not Give Legal Advice**

Do not answer any legal questions or give legal advice or make any statements that could be construed as doing so on social media.

## Appendix A: Common Issues for Complete and Accurate Interpretation

Interpreting Challenge	How to Handle	Example
Maintaining style and register of the source message	Maintain the same style and register as the original message; preserve all nuances of the source message in the target language. Do not add or embellish; do not omit anything.	If the speaker says “gentleman,” do not interpret it as “guy.”
Interpreting idiomatic expressions, proverbs, figurative language	If the speaker uses an idiomatic expression, proverb, or figurative language in the source message, interpret to an equivalent in the target.  If an equivalent is unavailable, interpret literally.	An example of an idiomatic expression is, “When it rains, it pours.”
Money and measurements	Do not clarify or convert units of money or measurements	If the speaker says “20 kilos” you must not convert that to pounds.
Third-person references	Do not omit, edit, or try to “clean up” any third-person references; simply interpret exactly what the person says. Let the judge and attorneys instruct the speaker as needed.	“Tell them I was home last night” should be literally interpreted as such.
Repetitions and redundancies	Include all repetitions and redundancies, false starts, fragments, and fillers in your interpretation. Your interpretation should be as if the speaker had spoken the text in the target language.	“It was a very large, gigantic, enormous car” must be interpreted with all three adjectives.
Ambiguity	If the original message is ambiguous, conserve the ambiguity in your interpretation. If you are unable to interpret into the target language <b>because</b> of ambiguity, request clarification before interpreting.	

<b>Interpreting Challenge</b>	<b>How to Handle</b>	<b>Example</b>
Double negative	Interpret double negatives as such; let the judge or attorneys request clarification.	An example of a double negative is, "It was not abnormal."
Nonsensical or nonresponsive	If the original message is nonsensical or nonresponsive, interpret this into the target language.	"Yeah, well, right, okay, right?" should be interpreted as such.
Profanity	If the speaker uses profanity, interpret the profanity into the target language.	
Interpreter doesn't understand a question or an answer or didn't hear something	Request a repetition or a read back. Never interpret something you have not completely heard and understood.	
Speaker (e.g., attorney, judge) makes an error when speaking	Interpret the error.	
Another interpreter makes an error	Confer with your colleague off the record and agree how to handle the situation. Allow your colleague to correct the error.	At the first opportunity ask for a break in an unobtrusive way (e.g., "May the interpreters have a moment to confer?").
You make an error while interpreting, or realize later that you made an error	Correct the record as soon as you realize you've made an error. Refer to your dictionary or other reference materials as needed.	At the first opportunity, request a chance to correct the record, (e.g., "The interpreter would like to correct the record. When the witness said 'house,' they meant to say 'cottage.' ")
Speaker uses an unfamiliar term	Never guess; refer to a dictionary or confer with a colleague prior to interpreting.	
Speaker uses a culturally bound term (e.g., one for which there is no translation)	Leave it in the source language and spell it for the court reporter. If any further explanation is required, let the judge or attorney request it.	
Speaker uses an English word, or responds in English	Leave the word in English; repeat what the speaker says even if it's in English.	

Interpreting Challenge	How to Handle	Example
	The court reporter is only taking down what you, the interpreter, says.	
Speaker asks the interpreter a direct question	Interpret what is said without explaining or clarifying; do not answer the speakers question directly.	If a witness says, "Do I have to answer that?" it should be interpreted as such.
Interpreter needs to address the court, or one of the parties directly	Refer to yourself in the third person as "the interpreter."	Never refer to yourself as "I." Instead, say, "May the interpreter request a clarification?"
Your interpretation is challenged by a party in court	<p>If your interpretation is challenged, regardless of the source of the challenge, you should request a recess to do some research.</p> <p>If after you have completed your research you agree with the correction proposed, make the correction to the record as noted previously.</p> <p>If you do not agree, state that the interpreter stands by their interpretation. Explain your reasoning if necessary. Be polite and professional. You may want to emphasize that you are certified by the State of California to provide interpretation services in court, and the challenging party is not, if this is the case.</p> <p>If your interpretation is challenged by another interpreter, or if you wish to challenge another interpreter's interpretation, request a recess to confer.</p>	You may say something like, "The interpreter stands by her interpretation."



Interpreting Challenge	How to Handle	Example
Interpreting for a witness who is not a defendant	Interpret everything said, including all objections and colloquy unless otherwise instructed by the court	

## Appendix B: Common Impediments to Performance (Live and Remote)

Impediment	How to Handle
Fatigue	<p>Request a break <b>before</b> you are so mentally fatigued that it interferes with your ability to interpret accurately.</p> <p>Work as a team with another interpreter, alternating with each other to prevent fatigue, ensure accuracy, and avoid interruptions to the proceedings. Interpreting intervals are usually 30 minutes in length, but check with the court to see if there is language in the memorandum of understanding or other guidance regarding prescribed intervals for alternating while team interpreting.</p>
Multiple overlapping communications	Work as a team with another interpreter if possible.
Audibility	If you cannot hear what is being said in person or remotely because of technical issues, do not guess or infer or continue. Advise the judge, attorneys, or other parties that you cannot hear what is being said.
Position in the courtroom	If your position in the courtroom makes it more difficult or impossible to interpret accurately and completely, inform the judge or the attorneys and request to move.
People talking over each other	Inform the judge, attorneys, or parties that you can only interpret for one person at a time. Ask for assistance and repetition of what was said.
People talking too softly, mumbling, etc.	If you cannot hear or understand what is being said, do not guess what the speaker said. Advise the judge, attorneys, or other parties that you cannot hear or understand what is being said.
No preappearance interview with client or instructions for interpreted proceedings	<p>Request a few moments to become familiar with the client's manner of speaking, accent, etc, if you feel you need to do this to ensure a complete and accurate interpretation.</p> <p>For more details on preappearance interviews and instructions for interpreted proceedings, see <a href="#">standard 2.10</a> and <a href="#">standard 2.11</a> of the California Standards for Judicial Administration.</p>
Instructions to not interpret during a court proceeding	Inform the judge you have been instructed to not interpret; allow the judge to decide how to handle.
Documents and sight translation	Do not begin translating until asked to do so. Allow the attorney to describe the document for the record and wait for instructions.

Impediment	How to Handle
Interpreting audio or video in real time in court	<p>Interpreting audio and video in real time is typically not performed spontaneously; request adequate time to review materials beforehand to ensure accurate interpretation.</p> <p>If, after reviewing, you do not believe you can accurately interpret it in real time, request a transcription.</p>
Cultural or linguistic expertise	<p>Avoid testifying as an expert witness in a case you are working on; do not testify in any case on topics that are beyond your personal expertise.</p> <p>Do not comment on these matters, even informally, with attorneys.</p>
Technical equipment issues	<p>Network outages, variable bandwidth and network speed, and software glitches are out of the interpreter's control. If technical issues preclude the interpreter from providing complete and accurate interpretation, the interpreter must inform the judge, attorney, and parties.</p> <p>Technical issues may include software limitations, insufficient network speed or bandwidth, or ambient noise. Interpreters may experience fatigue induced by working remotely due to staring at a monitor for a prolonged period, lack of visual cues, or inconsistent quality of audio. Monitor fatigue and request breaks as needed.</p>
The interpreter is having difficulty getting the attention of the attorney, judge, witness, etc.	<p>Interpreters must be assertive, yet professional, when needing to interrupt the proceedings. Use a visual cue, such as raising your hand or gesturing, in addition to making your request.</p>

## **Appendix C: General Interpreter Ethics References**

Interpreters may find these other resources on ethics and professional conduct of interest:

- [Code of Ethics for the Court Employees of California](#)
- [Federal Court Interpreter Standards for Performance and Professional Responsibility](#)
- [National Center for State Courts Model for Court Interpreter Ethics](#)

## **Appendix D: Guidelines for Video Remote Interpreting**

Below are guidelines on video remote interpreting:

- [\*Recommended Guidelines and Minimum Specifications for Video Remote Interpreting \(VRI\) for Spoken Language–Interpreted Events\*](#)
- [\*Recommended Guidelines for Video Remote Interpreting \(VRI\) for ASL-Interpreted Events\*](#)

## **Appendix E: Links and Attachments**

Below are links and attachments to this document:

- Link: California Evidence Code [sections 750–757](#)
- Attachment: California Rules of Court, rule 2.890
- Attachment: Standard 2.10 of the California Standards of Judicial Administration
- Attachment: Standard 2.11 of the California Standards of Judicial Administration



## Rule 2.890. Professional conduct for interpreters

### (a) Representation of qualifications

An interpreter must accurately and completely represent his or her certifications, training, and relevant experience.

*(Subd (a) amended effective January 1, 2007.)*

### (b) Complete and accurate interpretation

An interpreter must use his or her best skills and judgment to interpret accurately without embellishing, omitting, or editing. When interpreting for a party, the interpreter must interpret everything that is said during the entire proceedings. When interpreting for a witness, the interpreter must interpret everything that is said during the witness's testimony.

*Subd (b) amended effective January 1, 2007.)*

### (c) Impartiality and avoidance of conflicts of interest

#### (1) Impartiality

An interpreter must be impartial and unbiased and must refrain from conduct that may give an appearance of bias.

#### (2) Disclosure of conflicts

An interpreter must disclose to the judge and to all parties any actual or apparent conflict of interest. Any condition that interferes with the objectivity of an interpreter is a conflict of interest. A conflict may exist if the interpreter is acquainted with or related to any witness or party to the action or if the interpreter has an interest in the outcome of the case.

#### (3) Conduct

An interpreter must not engage in conduct creating the appearance of bias, prejudice, or partiality.

#### (4) Statements

An interpreter must not make statements to any person about the merits of the case until the litigation has concluded.

*(Subd (c) amended effective January 1, 2007.)*

### (d) Confidentiality of privileged communications

An interpreter must not disclose privileged communications between counsel and client to any person.

*(Subd (d) amended effective January 1, 2007.)*

### (e) Giving legal advice

An interpreter must not give legal advice to parties and witnesses, nor recommend specific attorneys or law firms.

*(Subd (e) amended effective January 1, 2007.)*

### (f) Impartial professional relationships

An interpreter must maintain an impartial, professional relationship with all court officers, attorneys, jurors, parties, and witnesses.

*(Subd (f) amended effective January 1, 2007.)*

### (g) Continuing education and duty to the profession

An interpreter must, through continuing education, maintain and improve his or her interpreting skills and knowledge of procedures used by the courts. An interpreter should seek to elevate the standards of performance of the interpreting profession.

*(Subd (g) amended effective January 1, 2007.)*

**(h) Assessing and reporting impediments to performance**

An interpreter must assess at all times his or her ability to perform interpreting services. If an interpreter has any reservation about his or her ability to satisfy an assignment competently, the interpreter must immediately disclose that reservation to the court or other appropriate authority.

*(Subd (h) amended effective January 1, 2007.)*

**(i) Duty to report ethical violations**

An interpreter must report to the court or other appropriate authority any effort to impede the interpreter's compliance with the law, this rule, or any other official policy governing court interpreting and legal translating.

*(Subd (i) amended effective January 1, 2007.)*

*Rule 2.890 amended and renumbered effective January 1, 2007; adopted as rule 984.4 effective January 1, 1999.*



## Standard 2.10. Procedures for determining the need for an interpreter and a preappearance interview

### (a) When an interpreter is needed

An interpreter is needed if, after an examination of a party or witness, the court concludes that:

- (1) The party cannot understand and speak English well enough to participate fully in the proceedings and to assist counsel;  
or
- (2) The witness cannot speak English so as to be understood directly by counsel, court, and jury.

*(Subd (a) amended effective January 1, 2007.)*

### (b) When an examination is required

The court should examine a party or witness on the record to determine whether an interpreter is needed if:

- (1) A party or counsel requests such an examination; or
- (2) It appears to the court that the party or witness may not understand and speak English well enough to participate fully in the proceedings.

*(Subd (b) amended effective January 1, 2007.)*

### (c) Examination of party or witness

To determine if an interpreter is needed, the court should normally include questions on the following:

- (1) Identification (for example: name, address, birthdate, age, place of birth);
- (2) Active vocabulary in vernacular English (for example: "How did you come to the court today?" "What kind of work do you do?" "Where did you go to school?" "What was the highest grade you completed?" "Describe what you see in the courtroom." "What have you eaten today?"). Questions should be phrased to avoid "yes" or "no" replies;
- (3) The court proceedings (for example: the nature of the charge or the type of case before the court, the purpose of the proceedings and function of the court, the rights of a party or criminal defendant, and the responsibilities of a witness).

*(Subd (c) amended effective January 1, 2007.)*

### (d) Record of examination

After the examination, the court should state its conclusion on the record. The file in the case should be clearly marked and data entered electronically when appropriate by court personnel to ensure that an interpreter will be present when needed in any subsequent proceeding.

*(Subd (d) amended effective January 1, 2007.)*

### (e) Good cause for preappearance interview

For good cause, the court should authorize a preappearance interview between the interpreter and the party or witness. Good cause exists if the interpreter needs clarification on any interpreting issues, including: colloquialisms, culturalisms, dialects, idioms, linguistic capabilities and traits, regionalisms, register, slang, speech patterns, or technical terms.

*(Subd (e) amended effective January 1, 2007.)*

*Standard 2.10 amended and renumbered effective January 1, 2007; repealed and adopted as sec. 18 effective January 1, 1999.*







## Standard 2.11. Interpreted proceedings-instructing participants on procedure

### (a) Instructions to interpreters

The court or the court's designee should give the following instructions to interpreters, either orally or in writing:

- (1) Do not discuss the pending proceedings with a party or witness.
- (2) Do not disclose communications between counsel and client.
- (3) Do not give legal advice to a party or witness. Refer legal questions to the attorney or to the court.
- (4) Inform the court if you are unable to interpret a word, expression, special terminology, or dialect, or have doubts about your linguistic expertise or ability to perform adequately in a particular case.
- (5) Interpret all words, including slang, vulgarisms, and epithets, to convey the intended meaning.
- (6) Use the first person when interpreting statements made in the first person. (For example, a statement or question should not be introduced with the words, "He says...")
- (7) Direct all inquiries or problems to the court and not to the witness or counsel. If necessary, you may request permission to approach the bench with counsel to discuss a problem.
- (8) Position yourself near the witness or party without blocking the view of the judge, jury, or counsel.
- (9) Inform the court if you become fatigued during the proceedings.
- (10) When interpreting for a party at the counsel table, speak loudly enough to be heard by the party or counsel but not so loudly as to interfere with the proceedings.
- (11) Interpret everything, including objections.
- (12) If the court finds good cause under rule 2.893(e), hold a preappearance interview with the party or witness to become familiar with speech patterns and linguistic traits and to determine what technical or special terms may be used. Counsel may be present at the preappearance interview.
- (13) During the preappearance interview with a non-English-speaking witness, give the witness the following instructions on the procedure to be followed when the witness is testifying:
  - (A) The witness must speak in a loud, clear voice so that the entire court and not just the interpreter can hear.
  - (B) The witness must direct all responses to the person asking the question, not to the interpreter.
  - (C) The witness must direct all questions to counsel or to the court and not to the interpreter. The witness may not seek advice from or engage in any discussion with the interpreter.
- (14) During the preappearance interview with a non-English-speaking party, give the following instructions on the procedure to be used when the non-English-speaking party is not testifying:
  - (A) The interpreter will interpret all statements made in open court.
  - (B) The party must direct any questions to counsel. The interpreter will interpret all questions to counsel and the responses. The party may not seek advice from or engage in discussion with the interpreter.

*(Subd (a) amended effective January 1, 2007.)*

### (b) Instructions to counsel

The court or the court's designee should give the following instructions to counsel, either orally or in writing:

- (1) When examining a non-English-speaking witness, direct all questions to the witness and not to the interpreter. (For example, do not say to the interpreter, "Ask him if. . .")
- (2) If there is a disagreement with the interpretation, direct any objection to the court and not to the interpreter. Ask permission to approach the bench to discuss the problem.
- (3) If you have a question regarding the qualifications of the interpreter, you may request permission to conduct a supplemental examination on the interpreter's qualifications.

*Standard 2.11 amended and renumbered effective January 1, 2007; repealed and adopted as sec. 18.1 effective January 1, 1999.*