

1.07 Interpreter for a Deaf or Hard of Hearing Juror

One of the jurors in this case is deaf or hard of hearing and has the right to be accompanied by a court-appointed interpreter during the trial and deliberations. When addressing the deaf or hard of hearing juror, you should speak directly to the juror, and not to the interpreter. Although the interpreter is not a juror, and you may not discuss the case with the interpreter, [he] [she] will keep strictly confidential all matters discussed during deliberations. If you have reason to believe that the interpreter is doing more than interpreting, let me know immediately by writing a note and giving it to the [clerk] [bailiff] [deputy].

Instruction, Notes on Use and Comment approved March 2017 and updated February 2025.

Notes on Use

This instruction should be given whenever there is a deaf or hard of hearing juror on the jury who is using a court-appointed interpreter. It should be given at the start of the trial because the deaf or hard of hearing juror can be assisted by a court-appointed interpreter throughout the trial and deliberations.

Comment

Illinois Code of Civil Procedure, 735 ILCS 5/8-1402, provides for a deaf or hard of hearing juror to be accompanied by a court-appointed interpreter throughout the trial and deliberations. This instruction explains this right to the jury and clarifies the role of the interpreter. Although the Jury Secrecy Act, 705 ILCS 315/1, indicates that only jurors can be present during deliberations, it provides an exception for an interpreter for a deaf or hard of hearing juror.