

ILLINOIS JUDICIAL BRANCH



Bench Card: Team Interpreting for Spoken and Sign Languages

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What is team interpreting?

Team interpreting involves two or more interpreters (spoken or sign) collaborating to ensure complete and clear interpretation during lengthy or complex court proceedings.

Team interpreting is the most effective tool for protecting the integrity of the interpretation, the liberty and rights of litigants, and it is critical to the administration of justice and the safeguarding of due process.

By alternating duties, team interpreting helps keep court proceedings on track without unnecessary delays, mitigates against interpreter fatigue, and ensures that people with limited English Proficiency (LEP) have the same access to information as English speakers.

What is interpreter fatigue?

Interpreter fatigue is the physical and mental exhaustion experienced by interpreters due to the intense concentration and cognitive effort needed for real-time interpretation. This can impact performance and lead to increased errors, sometimes without the interpreter's knowledge.

When to use team interpreting?

Team interpreting is recommended for legal proceedings that are longer than one hour, especially those involving complex or technical subject matters. Trials almost always require team interpreting.

It is essential to assess each case individually to ensure interpreter accuracy. Even brief or routine matters can become unexpectedly long, intricate, or require a team due to the subject matter.

Consulting with the interpreter is crucial to determine the need for team interpreting.

Benefits of team interpreting

- Accuracy: Regular rotation prevents fatigue, ensures precision, and protects the accuracy of the court record.
- Consistency: The second (support) interpreter can monitor for errors or omissions and provide immediate corrections, if necessary.
- Efficiency: Two well-trained interpreters can complete a length proceeding more quickly than one overworked interpreter.

How does team interpreting work?

Typically, two interpreters alternate roles every 20 to 30 minutes.

- Active interpreter: Provides real-time interpretation.
- Support interpreter: Stays attentive and assists by taking notes, quickly confirming any spoken names or numbers, researching terminology, managing technical equipment (if any), and ensuring overall accuracy.

This partnership helps interpreters maintain high levels of concentration and accuracy and reduces the risk of errors due to cognitive fatigue.

Examples of when team interpreting should be used

- Court proceedings expected to last over one hour
- Trials
- Complex hearings or depositions
- Situations involving very technical or specialized vocabulary
- Contentious proceedings
- Hearings where victim testimony is presented

Best practices for court's language facilitators/schedulers on team interpreting

- Determine in advance whether team interpreting is necessary for a particular proceeding or case.
- Before the court date, connect interpreting teams so they can coordinate efforts and discuss signals, styles, and approaches before the assignment.
- Provide interpreter certification credentials to judge.
- In advance, provide case materials, terminology, and any relevant legal or cultural context, and discuss logistics such as positioning in the courtroom or how interpreters can exchange notes with each other during the proceeding.
- Interpreters should alternate every 20 to 30 minutes or as pre-determined by the team.
 They should have a clear method for signaling when to switch or request assistance so that transitions are smooth and do not cause disruption.
- Everyone in the courtroom should be instructed to speak one at a time, deliberately, and clearly and to pause between questions and answers.
- While actively interpreting, interpreters must follow the code of interpreter ethics to ensure accuracy and impartiality. When not actively interpreting, support interpreters should stay attentive, carefully listen to catch missed details, or provide support to the active interpreter if needed (for example, if they start coughing uncontrollably).
- After the proceeding, discuss with the team any improvements or changes for future court dates.

Interpreter's oath and code of ethics

All interpreters are required to swear or affirm that they will fully and accurately interpret the proceedings and abide by the <u>Illinois Supreme</u> <u>Court Code of Interpreter Ethics</u>. See Canon 1: Accuracy and Completeness. If they cannot meet the requirements of the interpreter's oath and code of ethics, interpreters have an affirmative obligation to inform the court and make sure conditions are in place for them to meet their obligations (for example, by requesting team interpreting or breaks every 20 minutes). See Canon 8: Assessing and Reporting Impediments to Performance.

Research indicates that accuracy drops significantly after 30 minutes of interpreting, often without interpreters realizing the rapid rise in errors.

Given the limited number of certified interpreters, it is not always possible to implement team interpreting in every situation. However, courts must remain mindful of interpreter fatigue and take necessary measures to safeguard the rights of non-English-speaking individuals.

A far less preferrable alternative to team interpreting is to allow the court interpreter to take breaks every 20 minutes or as required by the interpreter.

Courts should work out preset signals with the interpreter and proactively institute breaks.

National Association of Judiciary Interpreters and Translators (NAJIT), Position Paper: Team Interpreting in Court-Related Proceedings, 2020.

For additional assistance, please contact:

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