



Court Interpreter Services
U.S. District Court, Central District of California

Orientation for Contract Court Interpreters
GOVERNMENT WITNESSES

The interpreter services department contracts interpreters on behalf of the United States attorney's office for grand jury hearings, proffer sessions, witness interviews, and in-court witnesses. Interpreters are also contracted for document and tape translations. In all instances, the U.S. attorney's office pays for the services of the interpreter out of Department of Justice funds. A "document control number" (DCN) is required for most U.S. attorney assignments. Ask the interpreters' office for help with the DCN if you don't have it already. The appropriate billing form (Department of Justice - DOJ Standard Form 1034) is available in the workroom of the interpreter services office or in the interpreters' waiting rooms in the Roybal, Santa Ana, and Riverside courthouses. Standard Form 1034 is also available on-line in Adobe format. This form should be filled out ahead of time and presented for the assistant United States attorney's signature at the time that service is rendered. You may deliver the signed form to interpreter services, from where it will be sent via interoffice mail to the U.S. attorney's fiscal section for processing. Always keep a copy of any billing forms for your records. The U.S. attorney's office is by law required to pay for services within 30 days. Inquiries regarding DOJ voucher payments should be directed to the U.S. attorney's fiscal section at 213 894-7304.

Grand Jury: Interpreters are contracted on behalf of the U.S. attorney's office for witness interviews prior to and for the actual grand jury hearing. The interpreter who interprets during the interview should also interpret for the witness during the hearing. The grand jury hearing is a closed hearing, meaning that the only persons present are the grand jurors, the assistant United States attorney ("AUSA"), the court reporter, the witness, and the interpreter. By law, *nothing that is said during a grand jury hearing may be repeated outside the grand jury room.*

The interpreter should give his/her business card to the court reporter upon entering the grand jury room. Once the interpreter and the witness have been sworn, the hearing usually begins with the AUSA's recitation of the lay witness admonishment, which should be interpreted simultaneously to the witness. The question and answer portion of the hearing should be interpreted consecutively. See the attached glossary for relevant terms.

Proffer Session: This is a meeting between the AUSA, the defense attorney and the defendant. Other government agents may also be present. It is a question and answer session



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whereby the prosecutor evaluates the information given by a defendant who has or will plead guilty. Depending on the outcome of the proffer session, the AUSA may make recommendations to the court as to whether the defendant qualifies for the safety valve provision and/or recommend a change in the defendant's sentencing guideline range. The interpreter will be asked to interpret a "proffer letter" setting forth the purpose and conditions of the meeting. After the letter has been interpreted to the defendant, the U.S. attorney, the defense attorney, the defendant, and the interpreter will sign the letter. Do not sign a proffer letter that you have not personally interpreted to the defendant. A form proffer letter is available upon request in the interpreter services office.

Government witnesses - interviews: As part of trial preparation, many U.S. attorneys will contract an interpreter through the office of interpreter services to interview witnesses prior to trial. Every effort will be made to have the same interpreter interpret in court once the case proceeds to trial. However, in many instances, the defendant will plead guilty before the case is tried, or the same interpreter may not be available when needed for the trial.

Government witnesses - in court: federal law specifies that consecutive interpreting must be used when interpreting for a witness at the stand (Court Interpreters Amendments Act, 1988). You must interpret the questions and answers consecutively, in a loud, clear voice, so that everyone in the courtroom can hear you. Always use the first person singular when relaying a witness' answers. Never say, "He says that...." Maintain a professional distance at all times by not engaging in any casual conversation with a witness. If you need a question or an answer repeated, you should address the court in the third person so as not to confuse the record ("Your Honor, may the interpreter ask the witness to repeat his answer?"). If the witness gestures during testimony (to indicate size, height or amount), the interpreter should interpret the words *without attempting to copy the gesture*. Never attempt to convert weights, measurements, or currencies. It is up to the attorneys to make the conversions or clarify the difference by questioning the witness. Your role is limited to interpreting what is being said. If an objection is made to a question, interpret the objection but indicate to the witness not to answer by holding up your hand. If the court overrules the objection, you may want to ask to have the question repeated. Any colloquy between court and counsel should be interpreted simultaneously in a whisper to the witness.



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At trial, interpreters may come across the transcribed translations of tape/CD recordings or other translated documents. Do not allow yourself to be turned into a ready-made witness by volunteering your opinion of a translation's accuracy during a trial. If asked by any party, state that you will give an opinion *only if directed to do so by the court*. It is up to the attorneys, whether prosecution or defense, to establish the reliability of translated materials prior to the start of a trial. Please remember that the interpreter is never a party to the case. Your role in the courtroom is to *interpret* - if expert opinions are required, counsel should make separate arrangements ahead of time.

The interpreter is contracted by interpreter services on behalf of the U.S. attorney's office for a specific date and time. The duration of the contract (half day, full day, several days) is known in advance. If changes are necessary, the AUSA or his/her assistant should contact interpreter services as soon as possible with the new information. Standard cancellation policies apply, i.e., if the interpreter is contracted 24 hours or more in advance and canceled within the 24-hour period before the event, the interpreter is entitled to compensation for at least one half-day of service, provided the interpreter remains available for re-assignment during that half-day, or as otherwise agreed in advance. If the interpreter arrives at the assignment location but is not used, that interpreter is also entitled to be paid for at least one half day.

If the assistant U.S. attorney asks you to return on a future date, please request that arrangements be made through interpreter services. If a specific interpreter is requested by the caller, that interpreter will be contacted first regarding his/her availability on the future date.



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GLOSSARY

Above-captioned case
Above-referenced matter
Acceptance of responsibility
Acting Chief, Criminal Division	.....
Agree and stipulate	.....
An answer that may tend to incriminate you	.....
Applicable sentencing guideline offense level	.....
Applicable special assessments	.....
Applicable sentencing guideline factors	.....
Appointed counsel	.....
Argue for criminal history category and score	.....
Argue for a base offense level	.....
Assistance of counsel at trial	.....
Breach of agreement	.....
Burden of proof	.....
Career offender	.....
Case-in-chief	.....
Chargeable under 21 U.S.C. § 841 (a)(1)	.....
Claim of pre-indictment delay	.....
Collateral review	.....
Commencement of prosecution	.....
Commit perjury	.....
Compelled to testify	.....
Complete truthfulness and candor
Court is not a party to the agreement
Court reporter



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- Depart from the guidelines
- Determine an appropriate sentence
- Dismiss a charge
- Duly impaneled federal grand jury
- Execution of this agreement
- Expires automatically if not executed and returned to USAO
- Explicitly retroactive change in the applicable sentencing guidelines
- Expressly set forth herein
- Facts and calculations relevant to sentencing
- Factual misstatements
- Factual basis
- Federal Rules of Criminal Procedure
- Federal Rules of Evidence
- Force, threat, or coercion
- Forfeiture actions
- Forthrightly and truthfully
- Fourth or fifth amendment claims
- Future disposition of the charges pending
- Guilty plea
- Ignore any sentencing recommendation
- Including but not limited to
- Ineffective assistance of counsel
- Knowingly violate an obligation
- Law enforcement or prosecuting authority
- Lay witness admonishment
- Major Crimes Section
- Make a binding prediction or promise
- Make a proffer



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Mandatory minimum sentence
Mandatory special assessment
Material conditions
Materially false statement
Maximum sentence established by statute
Move to dismiss the remaining counts
Nature of the offense
No plea discussions or negotiations will occur
No promises, threats, or inducements have been made
Obey all conditions of any bond
Obstruction of justice
Obtaining and pursuing leads
Offense level
Offer in evidence
On the record in court
On or about July 15, 2001
Perjury
Plea agreement
Post-conviction attack
Pretrial motions
Prosecuting, administrative or regulatory authorities
Prosecution not time-barred
Prove the defendant guilty beyond a reasonable doubt
Provided on behalf of your client
Pursuant to a subpoena
Pursue any affirmative defenses
Rebut any evidence
Remain bound to fulfill all obligations



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Safety valve
Scope of agreement
Speedy trial claim
Statute of limitations
Statutes of conviction
Statutory maximum sentence
Stipulate to the statement of facts
Subpoena witnesses to testify
Substantial assistance to the government
Supplement the facts stipulated to
Supply relevant information
Term of imprisonment
Terms of the agreement
Testify on your own behalf
Truthful and candid
Uncharged conduct
Voluntarily, knowingly and willfully agree to