



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

**Orientation for Contract Court Interpreters  
GOVERNMENT WITNESSES**

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In all proceedings initiated by the United States, the Court Interpreters Act, U.S. Code, Title 28, Section 1827, mandates the use of certified interpreters in languages where (federal) certification is available: Spanish, Haitian Creole, and Navajo. Certified interpreters must be used for Government witnesses (including for grand jury proceedings); when certified interpreters are not reasonably available, “Otherwise qualified” interpreters may be used. In all instances, the U.S. attorney’s office pays for the services of the interpreter from sums appropriated to the Department of Justice.

A “document control number” (DCN) is required for most U.S. attorney assignments. Ask the assistant U.S. attorney (AUSA) or his/her secretary for help with the DCN if it has not been provided to you prior to the start of the assignment. The appropriate billing form (Department of Justice - DOJ Standard Form 1034) is on the court’s home page, under “General Information>Interpreters>Forms.” This form should be filled out ahead of time and presented for the assistant United States attorney’s signature at the time service is rendered. Check with the AUSA or his/her secretary as to where to deliver the form for payment. Always keep a copy of any billing forms for your records. The U.S. attorney’s office is required by law to pay for services within 30 days of the submission of a proper invoice. 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 by 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, 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.



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**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 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 recommend to the court 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.

**Government witnesses - interviews:** As part of trial preparation, many U.S. attorneys may contract an interpreter to interview witnesses prior to trial. Every effort should 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). Questions and answers should be interpreted consecutively, in a loud, clear voice, so that everyone in the courtroom can hear the interpreter. 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 a question or an answer has to be repeated, 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



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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.

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 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 the interpreter as soon as possible with the new information. The interpreter should also be aware of any late cancellation provisions in advance.



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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 attack .....  
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 (sentencing) 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 . . . . .

Proffer session . . . . .

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 . . . . .



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- Remain bound to fulfill all obligations .....
- Safety valve .....
- Scope of agreement .....
- Sentencing guidelines are advisory .....
- 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 .....