

WSR 21-04-085
RULES OF COURT
STATE SUPREME COURT
[February 1, 2021]

IN THE MATTER OF THE ) ORDER
SUGGESTED NEW RULE GR 11.4— ) NO. 25700-A-1326
TEAM INTERPRETING )

The Washington State Supreme Court Interpreter Commission, having recommended the expeditious adoption of the suggested new rule GR 11.4—Team Interpreting, and the Court having considered the suggested new rule, and having determined that the suggested new rule will aid in the prompt and orderly administration of justice;

Now, therefore, it is hereby

ORDERED:

(a) That the suggested new rule as shown below is adopted.

(b) That pursuant to the emergency provisions of GR 9(j)(1), the suggested new rule will be expeditiously published in the Washington Reports and will become effective upon publication.

DATED at Olympia, Washington this 2nd day of December, 2020.

Stephens, C.J.
Johnson, J. Gordon McCloud, J.
Madsen, J. Yu, J.
Owens, J. Montoya-Lewis, J.
Gonzalez, J. Whitener, J.

GR 11.4
TEAM INTERPRETING

(a) Definitions.

(1) Team interpreting for spoken languages - the practice of using two interpreters of the same language pair (e.g. English - Spanish) who take turns interpreting.

(2) Team interpreting for sign languages - the practice of using multiple interpreters, which might include Deaf Interpreters.

(3) Simultaneous mode of interpreting - the rendering of a speaker's or signer's message into another language while the speaker or signer continues to speak or sign. Parties speak or sign at the same time.

(4) Consecutive mode of interpreting - the rendering of a speaker's or signer's message into another language when the speaker or signer pauses to allow interpreting. Parties take turns speaking or signing.

(5) Relay interpreting is the practice of interpreting from one language to another through a third language. It is necessary when no single interpreter commands the required language pair.

(b) Spoken Languages.

(1) To provide for accurate and complete interpreting, a team of two (2) interpreters must be appointed when it is anticipated that an assignment will require more than one (1) hour of simultaneous interpreting or two (2) hours of consecutive interpreting.

(2) If relay interpreting is required, a team of two (2) interpreters for each language pair must be appointed pursuant to (1) above.

**(c) Sign Languages.**

(1) To provide for accurate and complete interpreting, a team of interpreters must be appointed for each participant who needs sign language interpreting when the event will last more than one (1) hour, as well as in challenging linguistic situations.

(2) If the team requires intermediary Deaf Interpreters, a team of two (2) Deaf Interpreters and a team of two (2) American Sign Language (ASL) interpreters must be appointed.

**(d) Good Cause Exception.**

When a team of interpreters is required under this rule, it is permissible to proceed with a single interpreter only when:

(1) a team of interpreters is not reasonably available, and it is found and noted on the record that given the totality of the circumstances, there is good cause to proceed with only one interpreter; and

(2) the single interpreter is given breaks at regular intervals. An interpreter working alone must be given a ten-minute (10) break after every twenty (20) minutes of interpretation.

**Comments:**

[1] Simultaneous mode of interpreting is used when the recipients of interpretation are listening or watching, and the flow of information is in one direction only, such as during trials, motion hearings and classes.

[2] Research has established that simultaneous interpreting involves intensive cognitive activity. Interpreter fatigue—both physical and mental—results from the high degree of concentration an interpreter must employ to hear, analyze, and understand ideas in one language and then render those same ideas coherently in another. This research has demonstrated that accuracy begins to decline within 15 to 30 minutes of simultaneous interpreting, before interpreters are even aware of the fatigue that leads to this increase in errors. After 30 minutes, the decline is precipitous. Therefore, it is imperative that interpreters alternate every 15 to 30 minutes, as agreed upon by members of the interpreting team.

[3] Consecutive mode of interpreting is used when the recipients of interpretation are responding to questions and the exchange of information is two-directional, such as during testimony, interviews, and depositions.

[4] In consecutive mode, the interpreter must focus intensely to memorize substantial chunks of information and then render them precisely.

Consecutive mode requires the same amount of cognitive work as simultaneous, but the fatigue builds up over a longer period of time.

[5] Communication through sign language can be particularly broad and challenging. Not all Deaf, Deafblind, or hard of hearing participants use the same sign language dialect, and some have specialized linguistic needs. A Deaf Interpreter (DI) may be needed in addition to an ASL interpreter. A DI is a professional interpreter who is Deaf, an expert in ASL linguistics, and a native user of ASL. These skills uniquely qualify them to meet the linguistic and cultural needs of a Deaf person. The requester should look to the expertise of the sign language interpreter and the knowledge and experience of the parties

to identify such needs and assign a team of sign language interpreters where appropriate.

**Reviser's note:** The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency and appear in the Register pursuant to the requirements of RCW 34.08.040.