

[You will find information here from two sources to give you guidance when testimony is given through an interpreter. I have changed some of the text to bold for emphasis. Ken Gibson.]

Texas Uniform Format Manual - Court Reporters Certification Board

<http://www.crcb.state.tx.us/ufm.asp#sect16>

16.19 Testimony Through Interpreter.

In Interpreted depositions court reporters use Q&A sequencing in order to reflect the question asked in English by the attorney and the answer of the witness given through the interpretation process in English. When interpreters are used, it will be assumed that answers are made in a foreign language and interpreted unless stated otherwise.

Sometimes a witness testifying through an interpreter will answer some questions in English. If part of the translation is given by the interpreter and the rest is in English by the witness, the parenthetical "(In English)" may precede the portion of the witness's remarks given in English.

[See the example from the textbook below. KG]

Experienced interpreters will speak in the first person. Inexperienced interpreters may at times speak in the third person. **Interpreters should be cautioned by the attorney and court reporter** to give verbatim translation in the first person if it is not their normal practice to do so.

Sometimes attorney(s) are fluent in the native tongue of the witness and may speak to the witness directly without the interpreter. A parenthetical should be used in this situation.

16.2 Witness Sworn Through Interpreter and Suggested Oath to the Interpreter:

SUGGESTED OATH TO THE INTERPRETER

COURT REPORTER: "Do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to Spanish/Vietnamese/etc. and from Spanish/Vietnamese/etc. to English to the best of your ability?"

INTERPRETER: "I do."

SUGGESTED OATH TO SIGN INTERPRETER

COURT REPORTER: Do you solemnly swear or affirm that the interpretation you will give in this deposition will be from English to American Sign Language and American Sign Language to English to the best of your ability?"

Court Reporter's and CART Services Handbook

By Robert W. McCormick and Mary H. Knapp

English Answers in Interpreted Proceedings

At times, a witness testifying through an interpreter answers in English rather than in her or his native language.

Some reporters put an asterisk before or after the A in which the witness responds in English. At the bottom of the page, they place an asterisk followed by the words "Answers of the witness in English."

Other reporters denote answers in English or through an interpreter by using a parenthetical phrase within the answer as follows:

Q. Have you ever been involved in any other maritime accidents?

A. (In English) Five times. (Through the interpreter) I slipped on the dunnage in a stow twice, was in a chain fall accident once, and fell myself twice.

[Your title page should reflect that an interpreter is involved by showing the interpreter as **Also Appearing**. On the first page of text, add a parenthetical to reflect that the **interpreter was duly sworn**. KG]