

Handout provided by;



<http://www.ingcointernational.com>

SUGGESTED GUIDELINES FOR MEDIATIONS/CONFERENCES WITH INTERPRETERS

BEFORE THE PROCEEDING

- Advise parties that, if needed, the Department will provide an interpreter(s) at no cost.
- Inquire into the interpreter qualifications: are they certified by the Minnesota Supreme Court, or appear on the Court Interpreter or any other rosters maintained by a government entity?
- Have the parties provided information to the interpreters to familiarize them with the relevant technical vocabulary? (Medical or rehabilitation request, etc.)
- Inquire if the interpreter needs a writing pad and pen/pencil or any other equipment.
- Advise the interpreter to let you know if he/she has any concerns during the proceeding. Make accommodations for those concerns (seating, equipment, whether breaks are needed, rate of speech, etc.).

AT THE START OF THE PROCEEDING

- Check the seating arrangement, test equipment (phones, etc.), and assure that the interpreters have water.
- Read the statement on the back of this sheet (**Mediations/Administrative Conferences with Interpreters: Suggested Instructions to the Parties by the Mediator/Specialist**)
- Verify that the interpreters and the litigant/defendant/witness can communicate effectively with one another (this is critical because differences in regional accents and dialects may make it difficult for the interpreter and the limited English participant to communicate effectively).

DURING THE PROCEEDING

- Monitor the pace of the speakers, and assure that only one person is speaking at a time.
- If there is a debate as to the accuracy of an interpretation, allow the parties to discuss in a brief sidebar conference. If the situation requires more discussion, recess the proceeding and allow for more time to try and reach a resolution. If matter is not resolved, consider rescheduling the proceeding.

Mediations/Administrative Conferences with Interpreters; Suggested Instructions to the Parties by the Mediator/Specialist

Before we proceed any further, I would like to make a few comments regarding the interpreter's role in today's proceedings.

The interpreter can only interpret for one person at a time. Therefore, please do not speak or interrupt while someone else is testifying or speaking. The interpreter can only interpret testimony that is spoken. All responses given here must be verbal. You are reminded to speak at a slower but steady pace, and make eye contact occasionally with the interpreter to gauge whether your pace is appropriate. A slower pace is especially important when stating dates, numbers, figures, or highly technical vocabulary.

As for the interpreter(s), please remember that you must interpret everything that is said in this proceeding. You are not allowed to engage in any conversation with the litigant/witness. You are not allowed to give any legal advice, or express personal opinions about this matter to the litigant/witness. You are expected to maintain confidentiality and not publicly discuss this case. If for some reason you need to pause the proceedings so that you can refer to a dictionary or ask for clarification, please raise your hand and let me know.

Are there any questions or concerns?