

Jury Instructions and Interpreter Oath

From Volume 11A: Washington Pattern Jury Instruction - Criminal

WPIC 4.65

The law requires that the court appoint a [certified] [qualified] interpreter to assist a witness who [does not readily speak or understand the English language] [has an impairment of hearing or speech] in testifying. The interpreter in this case is _____.
I will now administer the oath of the interpreter.

NOTE ON USE

This oral instruction is intended for use when an interpreter is needed for a witness. Give the instruction to the jury before the witness or the interpreter is sworn. Use the bracketed material as applicable. If the interpreter is needed for a party throughout the proceedings, the instruction and oath will have to be revised accordingly. Also see Appendix F, Language interpreters in Trials.

NOTE: Appendix F of Volume 11A: Washington Pattern Jury Instruction – Criminal, *Language Interpreters in Trial*, and the *Comment* following **WPIC 4.65**, provides general overviews of court interpreting and are good references for the use of interpreters during court proceedings. Appendix F includes the following:

JURY INSTRUCTION

This can be given as an advance oral instruction:

In this case the (plaintiff) (defendant) is unable to communicate readily in English. The court has appointed a neutral (certified and) qualified interpreter in this case, and has been given an oath to interpret everything truthfully to the best of the interpreter's ability.

OATH--NO. 1

Do you swear or affirm that you will truly interpret these proceedings from English into (target language), and (target language) into English to the best of your skill and judgment? (*Use Oath No. 1 when a litigant needs an interpreter.*)

OATH--NO. 2

Do you swear or affirm that you will truly interpret all questions asked and the answers given English into (target language) into English to the best of your skill and judgment? (*Use Oath No. 2 when only a witness needs an interpreter, i.e., when the rest of the proceedings are in English and the litigants speak English.*)