

Rule 2.890. Professional conduct for interpreters

(a) Representation of qualifications

An interpreter must accurately and completely represent his or her certifications, training, and relevant experience.

(Subd (a) amended effective January 1, 2007.)

(b) Complete and accurate interpretation

An interpreter must use his or her best skills and judgment to interpret accurately without embellishing, omitting, or editing. When interpreting for a party, the interpreter must interpret everything that is said during the entire proceedings. When interpreting for a witness, the interpreter must interpret everything that is said during the witness's testimony.

Subd (b) amended effective January 1, 2007.)

(c) Impartiality and avoidance of conflicts of interest

(1) Impartiality

An interpreter must be impartial and unbiased and must refrain from conduct that may give an appearance of bias.

(2) Disclosure of conflicts

An interpreter must disclose to the judge and to all parties any actual or apparent conflict of interest. Any condition that interferes with the objectivity of an interpreter is a conflict of interest. A conflict may exist if the interpreter is acquainted with or related to any witness or party to the action or if the interpreter has an interest in the outcome of the case.

(3) Conduct

An interpreter must not engage in conduct creating the appearance of bias, prejudice, or partiality.

(4) Statements

An interpreter must not make statements to any person about the merits of the case until the litigation has concluded.

(Subd (c) amended effective January 1, 2007.)

(d) Confidentiality of privileged communications

An interpreter must not disclose privileged communications between counsel and client to any person.

(Subd (d) amended effective January 1, 2007.)

(e) Giving legal advice

An interpreter must not give legal advice to parties and witnesses, nor recommend specific attorneys or law firms.

(Subd (e) amended effective January 1, 2007.)

(f) Impartial professional relationships

An interpreter must maintain an impartial, professional relationship with all court officers, attorneys, jurors, parties, and witnesses.

(Subd (f) amended effective January 1, 2007.)

(g) Continuing education and duty to the profession

An interpreter must, through continuing education, maintain and improve his or her interpreting skills and knowledge of procedures used by the courts. An interpreter should seek to elevate the standards of performance of the interpreting profession.

(Subd (g) amended effective January 1, 2007.)

(h) Assessing and reporting impediments to performance

An interpreter must assess at all times his or her ability to perform interpreting services. If an interpreter has any reservation about his or her ability to satisfy an assignment competently, the interpreter must immediately disclose that reservation to the court or other appropriate authority.

(Subd (h) amended effective January 1, 2007.)

(i) Duty to report ethical violations

An interpreter must report to the court or other appropriate authority any effort to impede the interpreter's compliance with the law, this rule, or any other official policy governing court interpreting and legal translating.

(Subd (i) amended effective January 1, 2007.)

Rule 2.890 amended and renumbered effective January 1, 2007; adopted as rule 984.4 effective January 1, 1999.