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NoraV Borja



NORTHERN MARIANA ISLANDS

INTERPRETER AND TRANSLATOR

CODE OF CONDUCT

Adopted March 5, 2020

EXHIBIT A



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IN THE
SUPREME COURT
OF THE
COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS

IN RE THE NORTHERN MARIANA ISLANDS
INTERPRETER AND TRANSLATOR CODE OF CONDUCT

SUPREME COURT NO. 2020-ADM-0001-MSC

ORDER ADOPTING INTERPRETER AND TRANSLATOR CODE OF CONDUCT

¶ 1 This matter comes before the Court on our own motion to adopt policies governing the Judiciary's Interpreter and Translator Code of Conduct. The Court deems it necessary and proper to adopt a code of conduct to ensure all language interpreters and translators conform to the principles of competence, integrity, independence, impartiality, confidentiality, and accuracy when working with the NMI Judiciary.

¶ 2 IT IS HEREBY ORDERED that the *Northern Mariana Islands Interpreter and Translator Code of Conduct*, attached as Exhibit A, is adopted effective on March 5, 2020.

SO ORDERED this 5th day of March, 2020.

/s/

ALEXANDRO C. CASTRO
Chief Justice

/s/

JOHN A. MANGLONA
Associate Justice

/s/

PERRY B. INOS
Associate Justice

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Canon 1. Title.

This Code shall be known as the Northern Mariana Islands Interpreter and Translator Code of Conduct.

Canon 2. Purpose.

The purpose of the Interpreter and Translator Code of Conduct is to ensure that all language interpreters and translators conform to principles of competence, integrity, independence, impartiality, confidentiality, and accuracy when working with the NMI Judiciary. All registered interpreters and translators with the Judiciary shall be held to this Interpreter and Translator Code of Conduct.

Canon 3. Coverage.

- (a) The Interpreter and Translator Code of Conduct applies to all court interpreters and translators.
- (b) The duties and responsibilities interpreters and translators have towards the Judiciary continue after the expiration or termination of their services, and they may be held accountable for any breach thereto, including, but not limited to, referral to their respective local, national, or international professional association.

Canon 4. Definition.

- (a) “Interpreter” means a person who engages in the act of listening to or reading a communication in one language and converting orally the communication to another language while retaining the same meaning.
- (b) “Translator” means a person who engages in the act of listening to or reading a communication in one language and converting in writing the communication to another language while retaining the same meaning.
- (c) “Language Access Plan and Policy (“LAPP”) Coordinator” means a person appointed by the Chief Justice under Section 1(i) of LAPP to oversee implementation and annual updates of LAPP, LAPP forms, Certified Interpreter Registry Program, Interpreter and Translator Code of Conduct; and ensure that interpreters are trained in accordance with Judiciary standards.

- (d) This Code must be read and applied so as to most effectively attain the objectives and uphold the values expressed in its intended purpose.
- (e) The singular includes the plural and vice versa.

Canon 5. Competence.

- (a) Interpreters and translators shall possess a sound knowledge of the languages from and into which they interpret.
- (b) Interpreters and translators shall not accept assignments that are beyond their professional skills, language proficiency, or level of training.

Canon 6. Integrity.

- (a) Interpreters and translators shall perform their duties with integrity, and in a courteous, polite, and dignified manner.
- (b) Interpreters and translators shall at all times maintain a professional attitude in dealings with judges, justices, court officers, and all other individuals they contact in the performance of their duties.

Canon 7. Independence and Impartiality.

- (a) Interpreters and translators shall not allow any personal or other interests to interfere with the performance of their duties.
- (b) Interpreters and translators shall not, in the performance of their duties, solicit or accept any gratuities or other consideration, benefit or advantage of any kind.
- (c) Interpreters and translators shall immediately disclose to the LAPP Coordinator any conflict of interest or appearance of potential conflict of interest that may arise during the performance of their duties.

Canon 8. Confidentiality.

- (a) Interpreters and translators shall exercise the utmost discretion in all matters relating to their functions and shall not communicate at any time to the media or to any institution, person, governmental or non-governmental organization or other

authority external to the NMI Judiciary any information which has become known to them in the course of their duties.

- (b) Interpreters and translators shall not communicate any information that has been entrusted to them in confidence, that has become known to them by reason of their functions, or that they otherwise know to be confidential to any person inside the NMI Judiciary other than those persons who need to have such information for the performance of their duties or with the authorization of the Chief Justice, Presiding Judge, or their designees.
- (c) Interpreter and translator work-product shall be the property of the NMI Judiciary and shall not be shown or released to third persons without specific authorization from the Chief Justice, Presiding Judge, or their designees.
- (d) Interpreters and translators shall not discuss the details of any case pending before the Superior Court or Supreme Court without specific authorization from the Chief Justice or Presiding Judge or their designees.
- (e) Interpreters and translators shall not derive any personal profit or advantage from any confidential information that they may have acquired during the performance of their duties.
- (f) Interpreters and translators shall continue to maintain confidentiality after the expiration or termination of their employment.
- (g) Where team work is required, and with LAPP Coordinator's permission, it may be necessary for interpreters or translators to brief other interpreters or translators from the team involved in the assignment. In such circumstances, the ethical obligation for confidentiality extends to all members of the team.
- (h) Information gained by interpreters and translators from consultations or communications between suspects or accused and their legal representatives is protected under the rule of legal professional privilege, and must not be disclosed to any other person without the express consent of the suspect or accused concerned and his or her counsel.
- (i) The duty of professional secrecy continues after the expiration or termination of the interpreter's or translator's services with the Judiciary.

Canon 9. Accuracy.

- (a) Interpreters and translators shall convey with the greatest fidelity and accuracy, and with complete neutrality, the wording used by the persons they interpret.
- (b) Interpreters and translators shall convey the entire message, including vulgar or derogatory remarks, insults, mistakes, untruths and any non-verbal cues, which serve to facilitate the understanding of their listeners or readers.
- (c) Interpreters and translators shall not embellish, omit, or edit any material in their assignments.
- (d) Interpreters and translators shall request repetition, rephrasing, or explanation if any material for interpretation or translation is unclear.
- (e) Interpreters and translators shall promptly acknowledge and rectify any mistakes in their interpretation or translation.
- (f) Interpreters and translators shall inform their listeners or readers promptly in the event that an external element, including technical hinderances such as poor sound quality and illegible photocopies, interferes with the accuracy or completeness of their interpretation or translation.

Canon 10. Scope of Practice.

Interpreters and translators shall limit themselves to interpreting or translating, and shall not give legal advice, express personal opinions to individuals for whom they are interpreting, or engage in any other activities which may be construed to constitute an activity or service other than interpreting or translating while serving as an interpreter or translator.

Canon 11. Assessing and Reporting Impediments to Performance.

Interpreters and translators shall assess at all times their ability to deliver their services. When interpreters or translators have any reservation about their ability to satisfy an assignment competently, they shall immediately convey that reservation to the judge handling the case. They will refrain from accepting assignments beyond their professional skills, language proficiency, or level of training.

Canon 12. Duty to Report Ethical Violations.

Interpreters and translators shall report to the judge handling the case, any effort to impede their compliance with any law, any provision of this Code, or any other official policy governing court interpreting and legal translating.

Canon 13. Professional Development.

Interpreters and translators shall continually improve their skills and knowledge and advance the profession through activities such as professional training and education, and interaction with colleagues and specialists in related fields.

Canon 14. Effective Date.

This Code shall become effective upon its adoption by the Supreme Court.