

28.3 Court Interpreter Responsibilities.

- (a) **Confidentiality.** Court interpreters must comply with all statutory requirements of confidentiality and secrecy and must protect all privileged and confidential information. Court interpreters must not disclose to anyone confidential information obtained while performing interpreting duties in or relating to proceedings in this court unless the court orders otherwise.
- (b) **Disclosure of Conflict.** Court interpreters must disclose promptly to the court and the parties any apparent or actual conflict of interest, including any prior involvement with the case or persons significantly involved in the case.
- (c) **Legal Advice.** A court interpreter must refrain from giving advice of any kind to any party or individual involved in court proceedings in which the interpreter has been engaged to perform interpreting services.
- (d) **Public Statement.** A court interpreter must not publicly express an opinion concerning court proceedings in which the interpreter has been engaged to perform interpreting services.
- (e) **Representative of the Court.** Court interpreters work for the court and not the parties. Therefore, a court interpreter should provide only services requested by the presiding judge. Attorneys may request additional assistance from a court interpreter during a trial or hearing and during related recesses, but the court interpreter may not provide that additional assistance without the presiding judge's prior approval.

28.4 Noncourt Interpreter Services. Under the Criminal Justice Act, 18 U.S.C. § 3006A, court appointed attorneys may retain a noncourt interpreter to assist the defense. In this case, the noncourt interpreter works only for the defense. Defense attorneys should consult with the federal public defender regarding procedures for hiring and paying noncourt interpreters.