

The 2008 RID Research Grant Findings Reported

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Tracy Clark, CSC, SC:L, holds a Master's Degree in Linguistics from California State University, Northridge (CSUN). She teaches courses and workshops in interpretation and linguistics at CSUN and other institutions. Ms. Clark has interpreted for over 30 years in educational, conference and community settings, and over 25 years in legal settings. In 2006 she joined the courts as a staff interpreter, working with judges, attorneys and court personnel, coordinating services and presenting on linguistic issues and Americans with Disabilities Act access for the Deaf community. Ms. Clark currently serves on the California Court Interpreters Advisory Panel of California's Administrative Office of the Courts, which published Recommended Guidelines for the Use of Deaf Intermediary Interpreters.

The 2008 RID Research Grant was awarded to the Ventura County Superior Court, CA, for an **observational study of Deaf Interpreter/Hearing Interpreter (DI/HI) teams working in courtroom proceedings**. Lead researchers were Tracy S. Clark, M.A. Linguistics, CSC, SC:L and Margaret Cobb, M.A. Organization Development, CSC, SC:L. While it is not possible to report all the study information in a *VIEWS* article, this is an attempt to provide some highlights. A complete report is being submitted to RID for its archives.

Background:

The state of the art has changed since 2008, however, the grant proposal addressed the circumstances at the time of the 2007 RID National Conference and later that year when the research grant proposal was submitted. At that time, Clark and Cobb noted that DIs with combined roles in the community (e.g., DI/advocate; DI/educator) often worked in the courtroom. Combining roles in a courtroom has the potential to lead a DI/HI team to advocate, consciously or unconsciously, for a particular legal strategy, for a particular party or, in other ways, violate the canons of Accuracy, Conflict of Interest, Impartiality and Limitations of the Role. It was also noted at that time that there was a wide variance in the products of DIs' work. The researchers were particularly interested in observing DI/HI teams with regard to understanding of role and function and the linguistic choices and strategies employed by DIs.

The researchers reviewed relevant literature on the subject of DIs, most of which focused on general practice. The publication which had the most impact on the design and analysis of the research project was: *Development of Deaf Bicultural Identity* (Holcomb, 1997). (See References following the article)

Subsequent to the start of this project, several important articles and documents have been published including: "*Best Practices: American Sign Language and English Interpretation within Legal Settings*" (Witter-Merithew and Stewart, 2009) and *Deaf Interpreters in Court: an accommodation that is more than reasonable* (Mathers, 2010).

This project began in April 2008 by convening a "think tank" to discuss the components of the study and to assist in development of an observational tool. The following individuals participated: Kirk Vandersall, Managing Director, Arroyo Research Services; Dr. Patrick Boudreault, Professor of Deaf Studies, CA State University at Northridge; Lisa M. Gonzales, court DI, CA; Jimmy Beldon, CDI, Professor, Four Year ASL/ITP Program, St. Catherine's University, MN; Tracy Clark; and Margaret Cobb. [Note: This project was funded in part by the U.S. Department of Education, Rehabilitation Services Administration through regional grants provided to the members of the NCIEC during 2005-2010.]

These consultants identified the following areas for observational study: DI, HI and consumer profiles; interpreting

assignment information; and teamwork strategies. These categories of data were organized into several formats: a DI Demographic Questionnaire; an HI Demographic Questionnaire; an Observation Note-taking Form; and Post-Observation Interview Protocols. It was decided that a Consumer Profile was not feasible.

Protocols and instruments for gathering data were finalized in late spring 2008. Over a period of two and a half years, contacts were made and cases tracked in an effort to set up observations. Contacts were divided into four broad regions of the country: West, Midwest, East and South. All identifying characteristics regarding location, consumers and interpreters and have been removed from this report to protect the confidentiality of participants.

Clark and Cobb had several goals regarding observations; to conduct five DI/HI court interpreter observations in geographically diverse parts of the United States; to observe a variety of experienced and certified (CDI/SC:L) court DI/HI teams, if possible; to guarantee the confidentiality of all participants; and to use the same DI/HI observation team for each observation. The project goals proved more challenging than anticipated. While many court administrations and agencies agreed to participate, some were unable to identify suitable cases, while other others had cases resolve just before the observation date. Some observations proved unsuitable for analysis, as explained below. The researchers were able to observe experienced court DI/HI teams, with all HIs holding the SC:L and all but one DI holding the CDI or a similar qualification established for their respective states/regions. However, the researchers were not able to use the same DI/HI for all observations. Four DIs were brought into the project as deaf observers; only two were able to observe and present partial data due to changing court dates and the DIs' other professional obligations. Accordingly, the observational data presented focuses on the demographics of DI/HI teams and the process and product of the interpretations provided, but does not focus on DI techniques. (A more detailed explanation of the specific challenges and recommendations for overcoming them in future studies, is contained in the complete report submitted to RID.)

Data Collection:

Whenever possible, the observation team would arrange to observe more than one event at the same location, or one nearby. As a result, one DI/HI team was observed twice (with different consumers) in one location; one consumer was observed twice (with different DI/HI teams) in different locations; and one DI was observed twice with two separate HI team interpreters in two different locations.

Below is a summary of cases tracked, observed and analyzed, by region:

Region	# of Courts/ Agencies	# of States	# of Cases Tracked	# of Observations	# Included in Analysis
West	10	3	9	6	4
Midwest	4	2	7	3	2
East	5	4	3	0	0
South	4	2	1	1	1
TOTALS:	23	11	20	10	7

Data Description/Analysis:

Ten interpretations were observed; seven observations were analyzed. Eight (8) DIs and 8 HIs were observed in 10 events. Because the study sample was small, this report presents the demographics of HIs in the aggregate and DIs in the aggregate, in order to preserve anonymity. Where a demographic variable was deemed significant, it will be discussed.

Interpreters	Female	Male	White	Hispanic	25- 40 Yrs Old	41+ Yrs Old
DIs (8 total)	4	4	7	1	3	5
HIs (8 total)	7	1	8	0	5	3

Consumers were never made aware of the observation team, nor interviewed. Therefore, the demographic characteristics of the consumers were assumed, based on appearance and any knowledge obtained by the interpreting team, and are as follows: three consumers were African-American; one was White; four were Hispanic; one was Asian. It was presumed that one of the Hispanic consumers was foreign-born, and it was documented that the Asian consumer was foreign born.

As close as could be determined, the consumers' ages were as follows: seven were between 25 and 40; one was a minor; and one was over 40. The observations involving the minor and the consumer over 40 were both unsuitable for analysis and removed from the final report.

Three cases included mental health/competency issues within the judicial system; two of these observations were included for analysis.

It is important to note that only one of these observations took place in a rural community. All others were in large metropolitan areas, and all DIs and HIs were from large metropolitan areas.

After the data was collected, the team consulted with Jimmy Beldon in the analysis and discussion of the data. In only three observations did the gender of the consumer match the gender of the DI. Despite a lack of match in most cases, effective interpretation occurred regularly between DIs and consumers of opposite gender. The ethnicity of the consumer only matched the ethnicity of the DI in one case. Despite the differences, the interpretations appeared to be effective. The age categories of consumers and DIs matched only three times, and one of these observations was eliminated as inappropriate for analysis. In the remaining observations, the age group of the DI did not match the age group of the

consumer, yet the interpretations appeared to be effective. In a study of such small numbers, it is not possible to draw any specific conclusions regarding the importance of gender, ethnicity or age match to successful interpretation, but in these particular cases, it did not appear that the lack of a match, in general, hindered effective interpretation or that the presence of a match enhanced the effectiveness of interpretation.

Both the source language (SL) and the target language (TL) for the DI were observed and documented. The SL for the DI was the interpretation, or the "feed" from the HI, which tended to fall into one of three groups of signing styles: 1) PSE/contact-variety signing; 2) Non-native ASL; or 3) ASL. The DI product tended to fall into one of three categories: 1) Native ASL; 2) Visual-Gestural (VG) Communication; 3) a mix of Native ASL and VG Communication. *For the chart on the following page and for this discussion only*, the term "Native ASL" refers to the use of ASL by a deaf individual that includes all the richness of grammar, expansions, classifiers and role-shifting exhibited among native signers. "ASL" refers to a product close to native ASL exhibited by a hearing individual. "Non-native ASL" refers to a grammatically correct form of ASL, but with a limited use of expansions, classifiers and role-shifting. An "effective" interpretation refers to the ability of the team to transfer information from the English speaker to the deaf consumer, matching the communication mode of the deaf consumer; it does not refer to the consumer's ability to understand the concepts transmitted via the interpretation.

The researchers referred to Holcomb's Seven Deaf Identities to help group the types of communication challenges brought to these teams. Deaf consumers in each group tended to communicate in one of seven distinct ways. Following is a graph showing Holcomb's seven identities. Beldon, Clark and Cobb matched the observed consumer communication methods

to the identities described by Holcomb, mapped out the flow of communication (the HI and DI products), counted the number of events observed and analyzed in each communication group, and noted if the interpretation was effective.

HOLCOMB'S IDENTITIES	CONSUMER	HI PRODUCT	DI PRODUCT	# OF EVENTS OBSERVED/ ANALYZED	EFFICACY
Balanced bicultural	ASL/PSE	N/A	N/A	0	N/A
Deaf-dominant bicultural	ASL	1) ASL 2) Non-native ASL	1) Native ASL 2) Native ASL	3/2	Yes Yes
Hearing-dominant bicultural	Sign Supported Speech (SSS)	N/A	N/A	1/0	N/A
Culturally isolated	ASL	1) PSE 2) PSE	1) Native ASL 2) ASL/VG mix	2/2	1)Yes 2)Yes
Culturally separate	Semi-lingual	ASL	Native ASL	1/1	Mental health- -Unable to determine
Culturally marginal	ASL/Semi-lingual	ASL	Native ASL/VG mix	1/1	Yes
Culturally captive	A-lingual (no language)	ASL	Native ASL/VG mix	3/1	1-Yes, limited

In three analyses, the DI's TL was a Native ASL/VG mix. In two of these cases, the HI feed was ASL; in one, it was PSE. In four analyses, the DI Product was Native ASL. In two of these cases, the HI feed was ASL; in one, the feed was non-native ASL.

While this study was too small to draw any conclusions from those observations, the researchers noted certain patterns. Across the PSE-VG communication continuum, a DI seemed able to move farther toward VG and with more ease as the HI moved closer to ASL. The linguistic "distance" is greater between PSE and VG communication and more difficult for a DI to travel than is the distance between ASL and VG communication.

It is important to note that every DI observed stated that a command of English is an important skill for DIs to have, including knowledge of legal concepts as presented in English. Furthermore, they stated that it was important to receive specific legal terminology from HIs through fingerspelling or previously agreed-upon signs.

In closing, the researchers hope this small project will motivate others to take on comparable studies of the work of DI/HI teams in a variety of settings, including courtrooms. In particular, Clark and Cobb believe that capturing "live" work on video would be invaluable to continuing the analysis of the strategies and techniques employed by many DIs and in gaining a greater understanding of what constitutes effective practice for DI/HI teams. The researchers are grateful to RID for the award of the 2008 Research Grant and for the opportunity to have conducted this study. ■

References

- Bienvu, M. & B. Colonos (1992). Relay interpreting in the 90's. In L. Swabey (Ed.), *The Challenge of the 90's: New Standards in Interpreter Education, Proceedings of the Eighth National Convention of the Conference of Interpreter Trainers* (pp. 69-80). United States: Conference of Interpreter Trainers.
- Capps Dey, L. (2009). The Role of Deaf Interpreters: Investigating What Deaf Interpreters Experienced. *RID VIEWS*, 26 (1), (p. 43). Registry of Interpreters for the Deaf.
- Forestal, E. (2005). The emerging professionals: Deaf interpreters and their views and experiences on training. In Mark Marschark, Rico Peterson, & Elizabeth A. Winston (Eds.), *Sign Language Interpreting and Interpreter Education: Directions for Research and Practice* (pp. 235-258). New York: Oxford University Press.
- Guidelines for proceedings that involve deaf persons who do not communicate competently in American Sign Language*. Language Services Section, Special Programs Unit, Programs and Procedures Division, Office of Trial Court Services, Administrative Office of the Courts, Trenton, NJ. May 2000, Revised April 2004.
- Holcomb, T.K. (1997). Development of deaf bicultural identity. *American Annals of the Deaf*. 142(2), (pp. 89-93). National Association of the Deaf.
- Johnston, E. (2005). The field of certified deaf interpreting. *CIT News*, 25 (2) (pp. 8-9). Conference of Interpreter Trainers.
- Mathers, C. (2009). The Deaf interpreter in court: An accommodation that is more than reasonable. National Consortium of Interpreter Education Centers.
- Peterson, D. (2004). Who monitors Deaf interpreters? *RID VIEWS*, 21 (10), (p. 17). Registry of Interpreters for the Deaf.
- Stewart, K., Witter-Merithew, A. & Cobb, M. (2009). Best Practices: American Sign Language and English Interpreting within Court and Legal Settings. National Consortium of Interpreter Education Centers.
- Wilcox, P. (1995). Dual interpretation and discourse effectiveness in legal settings. In Graham Turner & Judy Kegl (Eds.), Special Issue: The Bilingual/Bimodal Courtroom. *Journal of Interpretation*, 7 (1). (pp. 89-98). Silver Spring, MA: RID Publications.