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A hearing was held on February 13, 2013, at Pierre, South Dakota, relating to the adoption of a new rule relating to a code of conduct for interpreters in the South Dakota judiciary and the Court having considered the proposed adoption and being fully advised in the premises, now, therefore, it is

ORDERED that the adoption of a new rule relating to a code of conduct for interpreters in the South Dakota judiciary be and it is hereby adopted to read in its entirety as follows:

Code of conduct for interpreters in the South Dakota
judiciary.

Preamble.

Many persons who come before the courts are partially or completely excluded from full participation in the proceedings due to limited English proficiency or a speech or hearing impairment. It is essential that the resulting communication barrier be removed, as far as possible, so that these persons are placed in the same position as similarly situated persons for whom there is no such barrier. Interpreters help ensure that such persons may enjoy equal access to justice and that court proceedings and court support services function efficiently and effectively. Interpreters are highly skilled professionals who fulfill an essential role in the administration of justice.

Applicability.

This Code shall guide and be binding upon all persons, agencies, and organizations who administer, supervise use of, or deliver interpreting services to the judiciary.

Canon 1. Accuracy and completeness.

Interpreters shall render a complete and accurate interpretation or sight translation, without altering, omitting, or adding anything to what is stated or written, and without explanation.

Canon 2. Representation of qualifications.

Interpreters shall accurately and completely represent what their training and pertinent experience is and any certification they may have.

Canon 3. Impartiality and avoidance of conflict of interest.

Interpreters shall be impartial and unbiased and shall refrain from conduct that may give an appearance of bias. Interpreters shall disclose any real or perceived conflict of interest.

Canon 4. Professional demeanor.

Interpreters shall conduct themselves in a manner consistent with the formality and civility of the court and shall draw as little attention to themselves as possible.

Canon 5. Confidentiality.

Interpreters shall keep confidential all privileged and other confidential information.

Canon 6. Restriction of public comment.

Interpreters shall not publicly discuss, report, or offer an opinion concerning a matter in which they are or have been engaged, even when that information is not privileged or required by law to be confidential.

Canon 7. Scope of practice.

Interpreters 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 a service other than interpreting or translating while serving as an interpreter.

Canon 8. Assessing and reporting inabilities to perform.

Interpreters shall assess at all times their ability to deliver their services. When interpreters have any reservation about their ability to satisfy an assignment completely, they shall immediately convey that reservation to the appropriate judicial authority.

Canon 9. Duty to report ethical violations.

Interpreters shall report to the proper judicial authority any effort to encourage a lack of compliance with any law, any provision to this Code, or any other official policy governing court interpreting and legal translating.

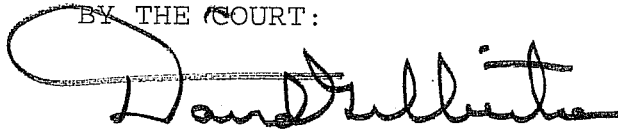
Canon 10. Professional development.

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

IT IS FURTHER ORDERED that the rule shall become effective immediately.

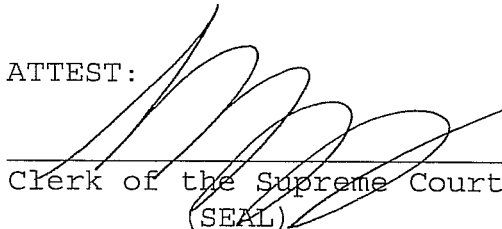
DATED at Pierre, South Dakota, this 14th day of February, 2013.

BY THE COURT:



David Gilbertson, Chief Justice

ATTEST:


Clerk of the Supreme Court
(SEAL)

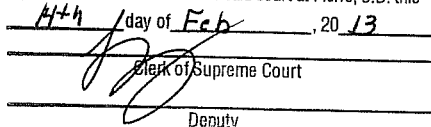
SUPREME COURT
STATE OF SOUTH DAKOTA
FILED

FEB 14 2013


Clerk

STATE OF SOUTH DAKOTA
In the Supreme Court

I, Shirley A. Jameson-Ferge, Clerk of the Supreme Court of South Dakota, hereby certify that the within instrument is a true and correct copy of the original thereof as the same appears on record in my office. In witness whereof, I have hereunto set my hand and affixed the seal of said court at Pierre, S.D. this

14th day of Feb, 20 13

Deputy