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Edited by Carmen Valero-Garcés and Anne Martin

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Definitions and dilemmas

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CHAPTER 3

Role definition

A perspective on forty years of professionalism in Sign Language interpreting

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Since 1965, Sign Language interpreters in the United States have had a code of ethical behavior that has been published and promulgated by the RID, the national professional organization of Sign Language interpreters. The code has undergone three major revisions, and in each iteration the role of the interpreter has been addressed. This chapter looks at the forces behind these changes, and the lack of agreed upon best practices related to role, from a systems approach. The analysis includes an overview of the various ways interpreters have been viewed in the field including helper, conduit, communication facilitator, bilingual-bicultural specialist and co-participant. (Witter-Merithew 1986; Roy 1996; Metzger 1999). From there, legislative influences are discussed, followed by the influence of professional organizations and ethical codes/codes of conduct on role definition. An overview of interpreter education is given, related to the teaching of role to students in interpreter education programs. Implications for the systems approach are discussed and the chapter concludes by raising questions about the impact of technology on the role of Sign Language interpreters and the ability of interpreter practitioners and stakeholders to influence policy-making regarding role and best practices.

Introduction

Interpreting is a complex linguistic, social, cognitive and cultural process. Often the interpreter is the only bilingual/bicultural individual present in a situation. Interpreters have the potential to impact peoples' lives on a number of different levels. In legal, medical, work and educational settings, the choices and actions that interpreters take, or do not take, have the potential to influence the lives of the people involved

The role of the community interpreter is challenging because it involves human interaction, which can be unpredictable. Although many students and new interpreters would like to have a black and white set of rules clearly explaining the interpreter's role, the definition of interpretation implies that decision-making

skills and critical analysis of text, context and interaction are required. The following definition of interpreting is used for the purposes of this chapter.

> The competent and coherent use of one naturally evolved language to express the meanings and intentions conveyed in another naturally evolved language for the purpose of negotiating an opportunity for a successful communicative interaction in real time within a triad involving two principal individuals or groups who are incapable of using, or who prefer not to use, the language of the other individual or group. (Cokely 2001)

In situations that involve interpreters, there is always potential for role conflict. By the mere presence of the interpreter, it is evident that all of the consumers don't speak the same language or share the same cultural norms. In many situations, consumer(s) may have never used an interpreter and may be unfamiliar with the role. Conflict may occur when one or both of the consumers do not understand the interpreting process or the interpreter's function in that setting, when the consumers' and interpreter's expectations are incongruent, or when the interpreter does not have a clear understanding of his or her primary function in that setting. If the interpreter lacks this clear understanding and, as a result, makes decisions inconsistent with standard practices in the field, role conflict occurs.

But, has the Sign Language interpreting profession agreed on best practices regarding the role of the interpreter? Do interpreting practitioners, educators, researchers, consumers and employers have a similar understanding of the interpreter's role? How does the theoretical framework from which interpreting is viewed influence the understanding of role? Who defines the interpreter's role? Is the definition imposed externally by a governing or legislative body, or is it based on consensus from within the profession? How do stakeholders, particularly Deaf consumers, contribute to describing best practices in interpreting? Do interpreter education programs and professional development seminars teach role from a similar perspective? Given changing legislation, new technology and the variety of settings in which interpreters work, is consistency desirable and, if so, attainable? This chapter addresses these questions by examining the challenge of role definition from a systems perspective and taking a closer look at the influence of legislation, professional organizations, ethical codes/codes of conduct and interpreter education. We begin with an overview of the definitions of role used during the 40-year history of the field.

The challenge of role definition

The interpreter's role has been viewed from various perspectives over time. Witter-Merithew (1986) has named four roles and ordered them to correspond

with the development of the interpreting profession. She begins with the helper role, which was in existence before the national professional organization for interpreters, the Registry for Interpreter of the Deaf (RID) was formally established in 1964. The first RID Code of Ethics was drafted in 1965 and certification testing began in 1972. Before RID was established, most of the individuals functioning as interpreters were friends or family members, without any formal training in interpreting. They were often taught informally by Deaf people and this connection to the community provided these interpreters an insider's perspective of the language and culture that has been difficult to maintain as education moved to formal academic programs. However, in their role as helpers, these interpreters often made decisions for deaf people and shared information without regard to confidentiality. The role of the interpreter as helper perpetuated the myth that Deaf people were not able to conduct their affairs without assistance.

The role of the interpreter as a conduit is identified as emerging in the early 1970s as the number of interpreters needed grew rapidly due to legislation mandating access for Deaf people. Interpreters viewed their role as neutral, functioning in a machine-model. The goal of the interpreter was to be 'invisible', believing that the maxims 'interpret everything' and 'only interpret' would empower deaf people and promote the professional status of the interpreter as having a role distinct from other professionals. Although many interpreters viewed this change as positive, believing it reversed a paternalistic viewpoint and gave Deaf people control over the interpreted interaction, there was widespread consumer dissatisfaction with interpreter services. The conduit role could be taken to extremes, as when interpreters would refuse to speak in their own voice, interpreting a question directed to them on to the consumer to answer.

The RID Code of Ethics, with its rule-based approach, was often taught and applied literally. It was common to hear interpreters use misguided phrases such as "breaking the code of ethics" if a tenet was not followed specifically as written. Interpreters usually worked in isolation, taking half-day and full-day jobs without a team member. Practitioners who had no formal background in teaching translation and interpreting often taught interpreting coursework. Without a formal background in teaching or a standard set of competencies or curriculum, instructors taught what they knew from experience. Often the emphasis was on sign-word equivalence and production speed, with little attention to the purpose of the communicative event, situational factors or dynamic equivalence. The education was far from ideal on many levels: programs were short in length (two years or less); there were no standards for exit or entrance; fluency in two languages was not required for program entry or graduation; there was a lack of curriculum materials and textbooks; there was no standard agreement as to what interpreters

needed to know in order to graduate as competent entry-level practitioners and there were no programs to prepare instructors to teach in these programs.

The role of the interpreter as communication facilitator followed, with the interpreter taking responsibility for such areas as lighting, positioning and other environmental factors, as well as preparing for assignments and, in introductions, describing their role. It became more commonplace for interpreters to work in teams as the cognitive and physical demands of interpreting became increasingly recognized. However, the more significant change in the role occurred with the advent of the bilingual/bicultural model, which identified more clearly the cultural and linguistic tasks required in meaning transfer. Baker-Shenk (1991) argued that there is no position of 'neutrality' for interpreters and that interpreters do in fact make decisions that impact interpreted encounters. She stated unequivocally that this role needed to be acknowledged, both in terms of making ethical decisions and taking responsibility for them.

Although the role of the interpreter has been variously defined since the advent of RID, Roy (2000) observed that even the bilingual/bicultural perspective of the role of the interpreter did not take the field away from the "basic conceptual notion of interpreting as relaying text that can the judged as correct, appropriate and equivalent". Roy proposes that the role and function of the interpreter can best be described from the theoretical frameworks of discourse analysis and social interaction. In this view, interpreting is described as an active process of communicating, with the interpreter making informed choices based on knowledge and understanding of language, discourse processes and social interaction. Conduit metaphors, either for communication or interpreting, are not sufficient to describe the complexity of interpreting (Wilcox and Shaffer 2005).

Although Witter-Merithew originally proposed the roles of helper, conduit, communication facilitator and bilingual-bicultural specialist as a historical perspective, Sanderson and McIntire (1995) lament that consumers have yet to see consistency in the way interpreters perceive and enact their role. And even in 2005, Witter-Merithew and Johnson claim that "the absence of well informed and agreed upon best practices regarding the complex and evolving role of interpreters places both consumers and practitioners at risk."

Taking a systems approach to analyzing role development and clarity for Sign Language interpreters in the U.S.

It is important to look at interpreting and the process of role clarification from a systems approach. A system is defined as "a group of individual parts pursuing a common objective, either self-defined or defined by the system's creator, this quest requiring interdependence and integration of effort if the objective is to be achieved." (Roth 2005) A systems approach looks at the interconnectivity of the various parts of the whole, how they interact, and the identity, characteristics and strength of the whole achieved by this interrelationship. In addition, the approach includes an examination of the relationships between the system as a whole with other systems, and the larger system of which it is a part.

Based on Roth's work, there are four key characteristics possessed by systemic organizations. The first is that the system is fully *participative*, meaning participants in the system have input into all decisions directly affecting them. They also possess the authority to make decisions necessary to improve their work. Second, all participants understand how their individual actions and decisions sustain and affect the whole; the system is *integrated*. Third, systemic entities encourage participants to seek better ways of doing their work and improving their processes; the entity is *designed to deal with constant change*. Finally, these systems *encourage continual learning* (Roth 2005). While the interpreting profession in this context is not a business as Roth's framework implies, these characteristics still offer a valuable perspective when addressing the interpreting profession as a system, and how the various parts of the system have influenced how the role of the interpreter is understood.

The interpreting profession is a complex social system. Inherent systemic elements include: consumers, policy-makers, employers, and interpreter education programs (Witter-Merithew and Johnson 2005). This system is heavily influenced by organizational systems such as the Registry of Interpreters for the Deaf (RID), the National Association of the Deaf (NAD), the Conference of Interpreter Trainers (CIT) and the ASL Teachers Association (ASLTA). The systems in which interpreters work, including legal, education, business and health care also have a strong influence on the profession, as does the legislative system that mandates the provision of interpreting services and seeks to regulate service quality.

Taking a holistic, systems approach to the interpreting profession with a focus on the evolution of the interpreter's role is an important step in recognizing the patterns and the interconnectedness of events as they have influenced how the work of interpreters has been perceived and how inconsistencies in that understanding have occurred.

Legislation, professionalism and role of the interpreter

One of the most influential systems with which the interpreting profession must interact is the legal system, specifically in regard to the legislation passed in the United States on local, state and national levels that mandate access for Deaf consumers and/or regulate the provision of interpreting services.

The Rehabilitation Act of 1973 was one of the first substantial laws mandating access and recognizing interpreting services as a means to that end. Title V of this Act prohibited discrimination and required accessibility in employment, education, health, welfare and social services. Interpreters are listed as an auxiliary aid option when addressing communication access in these areas.

In 1990, the Americans with Disabilities Act (ADA) was passed. The ADA is described as the most sweeping civil rights legislation for people with disabilities in the United States, prohibiting discrimination in almost every aspect of society. "Qualified" interpreters are listed as an auxiliary aid option to address communication access. The Department of Justice defines a qualified interpreter as one who can "interpret effectively, accurately, and impartially both receptively and expressively, using any necessary specialized vocabulary" (Charmatz, *et al.* 2000).

Since the 1970s, several laws have served as important catalysts that have led to a dramatic rise in the demand for interpreters in educational settings. In addition to the Rehabilitation Act of 1973 and the ADA, PL 94–142, the Education of All Handicapped Children Act of 1975 was passed, which was later amended and renamed the Individuals with Disabilities Education Act (IDEA). These laws sought to improve educational opportunities for all children with disabilities by, among other things, mandating a free and appropriate public education in the least restrictive environment. Today this effort is referred to as inclusion, and for Deaf children this often means the provision of interpreting services in classrooms with Deaf and non-deaf students. Also noteworthy is the Federal Bilingual Education Act 1968–2002, which has indirectly influenced the acceptance of interpreters in the educational system (Seal 2004). Educational interpreters are most often hired as staff members in the school district and are becoming more widely regarded as members of the education team. While their primary responsibility is interpreting, non-interpreting tasks such as tutoring, notetaking and other duties may also be a part of their positions within the schools. These other duties, coupled with specific expectations as employees in a school environment with children, have historically been sources of angst and conflict in clarifying the role of the educational interpreter.

This legislative activity, along with subsequent laws, has dramatically increased the need for interpreters in a variety of settings. Each of these settings has challenged interpreters to clarify and define their role and function. The 1970s was a critical time in the development of the interpreting profession, as several of these laws were being formulated and passed. During this time, the interpreting profession was in its infancy and met very few of the criteria Mikkelson (1999) identifies to professionalize community interpreting. Based on the work of Roberts (1994) and Tseng (1992), Mikkelson identified the following criteria: the need for interpreter practitioners to reach a consensus of their role and function; the provision

of training for interpreters and interpreter educators; public education about the role; and establishment of accreditation for community interpreters. Very few of these elements were solidly in place in the 1970s, and as a result, the individual practitioners were disadvantaged when trying to consistently define the role in response to the demands of the settings.

Since the ADA was passed in 1990, further impact on the profession has been realized, particularly with the dramatic increase in state regulations addressing minimal qualifications of interpreters. In 2000, the National Association of the Deaf (NAD) documented quality assurance legislative activity in 49 of the 50 states plus the District of Columbia (www.nad.org). Ben Hall, then president of RID, addressed the impact of this activity on the profession: "This landmark legislation (ADA) transformed the face of professional interpreting and caused the demand for interpreting services to soar to unprecedented heights" (Hall 2001).

While interpreters and Deaf consumers have been involved in the development of much of this legislation, the conundrum caused by the irregularities found in these regulations indicates a shortcoming in the broader system, particularly in regard to achieving consistent integration of service quality. These inconsistencies in turn hinder efforts in achieving congruous role clarification on a broader scale.

Role, decision-making and ethics: From a Code of Ethics to a Code of Professional Conduct

The relationship between role definition and ethical decision-making is integral. In *Ethics and Decision Making for Interpreters in Health Care Settings* (1990), Sandra Gish writes:

> Professional ethics are standards or behaviors that have evolved over time to *reflect the profession's desire to insure the well-being of its clients*. They are expressed in a formalized code of behavior which describes the principles that are important to the profession. More importantly, they define the forms of behavior that are *morally desirable* by the profession in its service to consumers. (Gish 1990:21)

The professional ethics that guide an interpreter's decision making process also help clarify the role by communicating a set of guiding principles and standard of behavior that can be expected by consumers of the service. The system in which the professional ethics have been developed, are communicated, and are modified is the Registry of Interpreters for the Deaf.

The Registry of Interpreters for the Deaf (RID) is a national professional organization for Sign Language interpreters in the United States. Established in 1964 and incorporated in 1972, the core of RID has been the desire to improve communication access for Deaf, hard of hearing and DeafBlind individuals through excellence

in interpreting services. This desire is evidenced in the organization's philosophy, mission and goal statements. (See Appendix A for RID philosophy, mission and goal statements)

The RID organization has a short yet progressive history of change and development. During the first eight years, the foundation of the organization was put into place, including the publication of the first code of ethics for Sign Language interpreters. Revisions to the code were infrequent, with a major revision adopted in October 1979, and then not again until the code of professional conduct was adopted by the membership in July 2005. The new "NAD/RID Code of Professional Conduct" now serves as the guide for decisions made by professional interpreters.

Historically, the Code of Ethics, and now the Code of Professional Conduct, has served as an important document, used to communicate guiding principles and expectations regarding ethical behavior not only for professionals in the field, but also to consumers of the service. As such, it has also served as an instrumental and consistent reference for clarifying the role of interpreters in a variety of settings.

Even though the code had been infrequently revised, the profession was progressively moving forward and developing. By 2000, however, a paradigm shift was becoming evident. Cokely (2000) documented the historical framework for codes of ethics and identified the heart of the long-held debate in the field regarding the usefulness (or not) of the code as written. Cokely explains this dichotomy using the tenet regarding confidentiality as an example:

> One side holds the view that no set of conditions could supersede the professional's duty to maintain confidentiality at any and all personal costs. According to this view, the tenets of the Code are absolute and inviolable. The other side maintains that there are situations when the professional's specific role (e.g., as a member of a team) or perceived call to a "higher" duty (e.g., knowledge of impending bodily harm or planned criminal activity that was gained while interpreting) mandates that confidentiality be set aside and information gained during an interpreted/transliterated interaction be shared or acted upon. Those who hold the later view maintain that it is precisely the inflexibility of the current Code of Ethics that compels them to suggest a more situationally sensitive or flexible code of ethics. (Cokely 2000: 38)

Cokely argued for reconciling these fundamental differences by taking a rights-based approach in the code, centered on the premise that first and foremost, interpreters have an obligation to uphold and support the rights of all consumers involved in the interpreted event:

> These rights not only embody certain values but also mandate, *per force*, certain responsibilities and obligations. It is recognition of the rights of individual claimants and the values they manifest which, in turn, yields the essential principles that guide the work of interpreters/transliterators and form the standard against which interpreters/transliterators can be judged. (Cokely 2000: 46)

Also in 2000, the RID Board of Directors approved the establishment of a task force to review and update the Code of Ethics. At this time, the National Association of the Deaf (NAD) also certified interpreters and published a code of ethics for interpreters. The NAD is the oldest advocacy organization for Deaf and hard of hearing people in the U.S. Its mission is to promote, protect, and preserve the rights and quality of life of deaf and hard of hearing individuals in the United States of America (http://www.nad.org). At that time, the NAD was in the process of working collaboratively with the RID to join forces and develop one national certification exam for interpreters. The RID Board approached the NAD to work collaboratively on the code of ethics revision project as well.

From an historical and systems perspective, it is important to note this collaboration. While the NAD was instrumental in establishing the RID and supporting its development, the relationship between the two organizations became increasingly strained in the 1980s. The depth of this discord could be seen in the late 1980s when the NAD began implementing certification testing, something the RID had exclusively done for years. The RID and NAD Boards worked very hard at bringing the two organizations together to work collaboratively on the development of the new certification test and within the code of ethics review committee. These two efforts are noteworthy, not only historically from an organizational perspective, but also because they exemplify a significant interrelationship between a professional organization and its consumers or primary stakeholders.

There are several clear differences between the original Code of Ethics (Appendix B), the revision of 1979 (Appendix C), and the current Code of Professional Conduct (Appendix D). The first difference is the more formalized involvement of stakeholders in the process of revising the code. Hoza (2003) noted that the original RID code consisted of eight one-sentence tenets covering the following: (1) maintaining confidentiality; (2) rendering the message faithfully, using the language most readily understood by the person(s) whom they serve; (3) not counseling, advising, or interjecting personal opinions; (4) using discretion in accepting assignments; (5) requesting compensation in a professional and judicious manner; (6) functioning in an appropriate manner; (7) furthering knowledge and skills; and (8) maintaining high professional standards in compliance with the Code of Ethics. The NAD code covered the same areas using different verbiage, but also included the following points:

- Information on the role and appropriate use of interpreting services shall be provided to the consumers when necessary.
- Information on available resources as appropriate should be provided.
- Respect of and for the deaf person's rights must always be evident (Hoza 2003).

It is interesting to note the additional tenets of the NAD code identify the interpreter as a resource person (and expect that he/she will share information as needed — in addition to maintaining confidentiality) and the importance of respecting the rights of the Deaf consumer. The participation of NAD has been a significant factor in the development of the new code. The stakeholders not only brought personal experiences, but also well-formulated and documented expectations for professional behavior.

Hoza also notes that the 1979 version of the RID code and the NAD code have a common, authoritative air, reflecting a duty-based approach to ethics in which certain acts or behaviors are prescribed as "right" and practitioners are expected to feel obligated to do only what is right as identified in the code (2000). The members of the joint RID/NAD task force came to the table with a very similar approach to documenting ethical guidelines, yet differing perspectives and expectations.

Another significant change in the code is the change in the name — from a Code of Ethics to a Code of Professional Conduct. To understand this change, it is important to look more broadly at the development of codes of ethics across disciplines. Olson (1998) makes several observations about the development of codes and patterns that emerge in format and structure. He identified three commonly occurring categories for format: brief, descending form, and relational.

The brief codes are just that — brief, consisting of a short list of statements that provide guidance to members. This is likely where the original RID and NAD codes would have been placed, as they listed short sentences addressing each tenet.

The codes that fit into the second category, descending forms, generally have the following format: Preamble / Statement of Intent, Fundamental Principles, Fundamental Canons, and Guidelines for the Principles and Canons. The third category highlights relationships between the members of the group and/or other groups in society, such as the public, clients or employers.

With some slight variations, the NAD/RID Code of Professional Conduct fits into the category of descending form. This Code contains sections addressing Scope, Philosophy, and Function of Guiding Principles, in addition to other logistical information. Each of the 7 tenets is listed, with the Guiding Principle explained and several examples of "Illustrative Behavior" given. Clearly, in this code, the descending format is much more holistic in nature and moves from an overarching scope and philosophy, to each tenet, to examples (not all inclusive) of how this tenet may be applied on the job or in a real-life situation.

The code moves from the duty- or rule-based perspective to a more rights-based approach, and includes underlying values and guiding principles with examples of how each principle may be applied. Given this change, it seems appropriate to change the name from a Code of Ethics to a Code of Professional Conduct.

This name change implies movement from merely stating the ethical guidelines toward a more holistic look at the guiding principles, application and decision making, which the new code embraces.

Measuring the effectiveness of codes

There are mixed reviews in the field of ethics about the effectiveness of codes of ethics or professional conduct. Some would argue that the codes are futile attempts at articulating what a profession or organization professes and aspires to do, while others maintain that codes of ethics and conduct are critical documents that communicate deeply held beliefs about what can and should be appropriately expected from professionals in a given field.

Several authors offer measures or guidelines to use when determining the effectiveness of codes. Rushworth Kidder (1995) characterizes a code of ethics as follows:

1. It is brief. A Code of Ethics normally focuses on the core moral values and is concise and easily memorized. This, unlike rule books, law codes or policy manuals that address detailed points of operational values.
2. A code is not really explanatory. Occasionally it can become wordy, but a code's brevity requires condensation to get to the main points.
3. A code can be expressed in many different forms (positive, negative, definition or exhortation, a set of single words or series of sentences).
4. Centers on moral values. Sometimes they will include values that are more instrumental than ultimate, its focus is on the morally neutral realms of human experience (Kidder 1995).

Considering Kidder's measures, the current RID code has been appropriately renamed as it has grown from eight brief tenets to five pages with the additions of the Guiding Principles and Illustrative Behaviors. Kidder also states that codes take on various forms and address moral and instrumental values, which the current code does well.

Olson (1998) suggests that authors of codes must maintain a balance between general, guiding principles to allow room for a variety of situations and being specific enough to give readers the appropriate amount of information to provide guidance in their decision making process and in how to resolve conflicting principles. Authors of codes must also be acutely aware of how they organize a code and the language they use in the code, so that it will be well-received and accessible to its intended audience. The Code of Professional Conduct addresses both of these concerns successfully, although time will tell how effective the code truly is

since it has only been in effect since July 2005.

Johnson (2005) noted the work of communication ethicist Richard Johannsen in regard to evaluating the effectiveness of a code. Johannsen suggests that many objections to formal codes could be addressed if the authors considered the following guidelines:

1. Distinguish between ideals and minimum conditions. Identify which parts of the statement are goals to strive for and which are minimal or basic ethical standards.
2. Design the code for ordinary circumstances.
3. Use clear, specific language.
4. Prioritize obligations.
5. Protect the larger community.
6. Focus on issues of particular importance to group members. The code should address the group's unique moral issues.
7. Stimulate further discussion and modification.
8. Provide guidance for the entire organization and the profession to which it belongs.
9. Outline the moral principles behind the code.
10. Encourage widespread input.
11. Back the code with enforcement (Johnson 2005: 258–259).

Nearly all of these points are addressed, to some degree, by the authors of the NAD/RID Code of Professional Conduct. The sections offered before the tenets are listed and explained, include the Scope, Philosophy, Voting Protocol, Adoption of this Code, and the Function of the Guiding Principles, which give the reader a broader understanding of the underlying principles and the "why" behind the tenets and illustrative behaviors listed. The authors covered a wide range of potential questions and addressed them thoroughly. Each of the tenets, with their respective guiding principles and illustrative behaviors explained, give the reader a broader understanding of the underlying values as well as specific examples for application.

The concept of encouraging widespread input is one that the RID/NAD Task Force embraced in their process of developing the code. The fact that stakeholders were equally represented during the process also illustrates the commitment to input and integration. Olson (1998) addresses the need for organizations to take on the arduous task of seeking and garnering input and buy-in. In the short term, it can be painstakingly difficult. In the long run, however, it is well worth the effort. There is a deeper sense of buy-in and commitment to the code when the input is secured during the development process.

When reviewing the most recent Code of Ethics review process, several of

Roth's characteristics for systemic organizations are evident. With regard to participation, perspectives from practitioners and consumers were garnered through the joint task force with equal representation from both RID and NAD. In addition, the task force members hosted several meetings across the country, seeking input from their respective membership. This element of participation closely relates to the concept of integration and seeking buy-in from practitioners and consumers alike. The true measure of this characteristic will not be fully realized until time has passed and further research is done on the application and effectiveness of the new Code. While the system was historically slow in revising the codes, it could be argued that by undertaking the task of revising the code in the manner in which it did most recently, the system does have the capacity to embrace and work with change. The element of life-long learning Roth also notes can be seen in another aspect of the RID organization — the triad of services that support interpreting credentials.

The RID established and maintains a triad of programming that supports certification of Sign Language interpreters. The three areas covered by these services include the National Testing System, the Certification Maintenance System and the Ethical Practices System (EPS) (Appendix E). Respectively, these services provide a testing mechanism for obtaining national certification, an avenue for maintaining certification through continuing education, and a process for review when concerns regarding ethical behavior and/or quality of service arise. The EPS includes a mediation program as the first step toward resolving disputes regarding ethical issues. Combined with the next level (adjudication), "the EPS is designed to provide opportunity for resolving differences and fairness and the means for appeals to all parties involved" (www.rid.org). The Code of Ethics, and now the Code of Professional Conduct, serves as the primary document to refer to when ethics-related complaints are filed against interpreter practitioners. Finally, the Professional Standards Committee works within the EPS to provide the framework, structure and supports on which to place the direct services of the EPS.

This collection of services embodies strong characteristics of a systems organization, including participation and integration, with particular emphasis on life-long learning and embracing change. The change in the Code of Ethics and the incorporation of those changes into this system provide a secure foundation for the continued development of professional practices and role clarification. The RID provides an organizational means through which the profession develops, matures and advances. It is also the system the profession must rely on to help communicate the professional role of interpreters.

Teaching role: Interpreter education

The inability of interpreter education programs to graduate interpreting practitioners who are competent to enter the workforce was mentioned in a previous section. Given the many advances in the field, interpreter education programs have the potential to positively influence the larger system of the interpreting profession. This section gives an overview of the evolution of interpreter education as well as a context for understanding the documented inability of interpreter education programs to graduate work-ready interpreters (Witter-Merithew and Johnson 2005).

Initially, interpreter preparation programs were short, often only 6 to 8 weeks in length, and situated in community colleges or vocational technical post-secondary schools. By the late 1970s, there was a proliferation of two-year associate degree programs across the country. Interpreter education programs continued to open and attract students despite the lack of curriculum and instructors. Faculty were often hired as adjuncts and were usually hired because they were competent practitioners. Without formal knowledge of pedagogy, they often taught from their experience. Absent from most of these programs were Deaf instructors and strong ties to the Deaf Community. In the transition to formalized academic training, this very important connection to community was lost.

Most programs required no entry exams or pre-requisites and students would often start two-year interpreting programs without knowledge of American Sign Language (ASL). English, the native language of the majority of students, was generally not assessed. Typical programs of that era taught ASL in the first year, adding interpreting skills courses in the second year. Information about role and ethics was a small part of these courses, with little or no time allotted to explore the complexities. Interpreting programs taught role predominantly from a rule-based paradigm, with the RID Code of Ethics providing the rules. There was an absence of theoretical models or frameworks used to teach students about the complexities of interpreter's role. Little emphasis was placed on analysis or decision-making. The students were often passive receivers of information and knowledge about ethics and role, accepting the 'truth' handed down by their teachers. Given the complexities of human interaction that interpreters encounter, this approach did not prepare interpreters to handle the situations they would find in the world of work. Moreover, students didn't have effective strategies to assess their work or ways to talk about what they did.

As is still true in many programs today, the two year timeframe did not allow for students to master the body of knowledge or the necessary skills to interpret effectively. As a result, students often entered the workforce woefully under-prepared to cope with the complexities of the interpreting task.

During the mid-to-late 1980s, the first bachelor (four-year) degree programs in interpreting began to emerge. Educators began to use frameworks for teaching ethics and decision-making, incorporating a wider variety of texts and articles. Interpreters and interpreter educators began to see opportunities in the field for graduate studies, including the development of the first master's degree program in teaching interpretation at Western Maryland College (now McDaniel College). In the 90s, Gallaudet University offered the first MA degree in Interpretation.

Sandra Gish, an influential interpreter educator in the 1980s and early 1990s, wrote a textbook on ethics and decision-making that was widely used in interpreter education programs in the early 1990s and brought a new perspective to the interpreter's role. Her text "Ethics and Decision Making for Interpreters in Health Care Settings" (1990) included values clarification, decision-making skills and case studies, in an easy to understand and accessible framework. Although the text primarily focused on health care settings, educators and practitioners found it useful when applying it to the broader profession as well as to other specialized settings. Incorporating theory on functional leadership, Gish also introduced the idea that interpreters were leaders, defining leadership as occurring when one person influences another person. She claimed that interpreters had always been leaders even though this role had never been acknowledged. Based on functional leadership, any member of a group may become a leader by helping the group complete its goal and interact effectively. The interpreter is involved in the group process (interaction and maintenance of relationships in the interaction), although not in the content (topics discussed). Emphasis was place on the idea that this view of leadership in no way takes away from the power or self-determination of Deaf or hearing clients.

This provided interpreting students and interpreters a formal way to talk about aspects of the interpreter's role that previously had been minimized in interpreter education classrooms, due to the perception by many interpreters that invisibility was a key component of the interpreter's role. Even with the increasing recognition of the complexities related to role, ethics and decision-making, by 1996 most programs still did not have a separate course that incorporated these topics (Witter-Merithew and Stewart 1998). Instead these concepts were taught as part of other interpreting skill courses.

Meanwhile, in scholarly works, Roy (1996), Wadensjo (1992) and Metzger (1999), published evidence from a discourse perspective that interpreters are co-participants and emphasized the need to more accurately describe the work of interpreting. The evidence indicated that interpreters influence discourse interac-

tions and do alter the renditions, usually for specific reasons related to achieving the goals of the interaction. Metzger's (1999) study also indicated that "some interpreter generated contributions are an essential part of the interpretation of interactional equivalence". Although this type of research and approach clearly has implications for interpreters and interpreter education, many interpreting programs have been slow in applying theoretical frameworks of social interaction and discourse analysis to understanding and teaching interpreting.

The work of Dean and Pollard (2001, 2005) related to the application of the demand-control schema to interpreting constituted a major paradigm shift in the way that interpreters and interpreter educators talk about the complexities of interpreting work, related to role, responsibilities and decision-making. Their framework provides interpreters a way to critically analyze and reflect upon the demands of their role and the implications of their actions and decisions. In terms of interpreter education, Dean and Pollard situate interpreting among practice professions and use an approach that relies on case studies, observation and the implications of decision-making.

Finally, Winston (2005) provides insights into the systemic problems with interpreter education. She states:

> In spite of years of teaching interpreting, in spite of curriculum changes, in spite of a recognized failure to adequately educate interpreters, we continue to do what we do. We accept students into interpreting programs because we are told to, ignoring evidence that this does not result in competent interpreters. We graduate students into the community, acknowledging that they are not qualified, that there is a gap, and that they need at least a year or two to achieve even 'entry-level' competence. We recognize that we do not provide enough relevant opportunities for the Deaf Community to influence our work, nor do we provide enough relevant opportunities for interpreting students to learn through and from the Deaf Community. (Winston 2005)

Implications

The field of Sign Language interpreting in the United States has some strong foundational components and a forty-year history of professionalism. As evidenced by the list below, there have been many positive develops in the short history of the profession. These include:

- a strong member-driven professional organization
- an ethical practices system
- a national certification testing system
- a certification maintenance system requiring professional development

- the inclusion of courses in IEPs devoted solely to teach interpreter role, responsibility and ethics
- a professional organization of Interpreter Educators (CIT) that has held regularly scheduled conferences for the past 25 years
- a growing but strong relationship with ASLTA (American Sign Language Teachers Association)
- a strong, politically involved Deaf consumer organization (NAD)
- biannual regional and national professional conferences
- a wide variety of online and face-to-face workshops and professional development opportunities
- federal funding for regional interpreter education centers for the past 25 years

In addition, there are some new developments that should positively influence the development of best practices related to role including:

- an online master's degree program in Interpreting Pedagogy (Northeastern University)
- a requirement that interpreters have a bachelor's degree to sit for the certification exam
- a recently revised national testing system with an interview portion that examines the candidate's ability to analyze a situation, make a decision and provide a well-supported and clearly articulated argument to support his/her decision
- a self-study accreditation program for interpreting education programs (www.ccie-accreditation.org)

Why then, hasn't there been agreement on best practices regarding the complex and evolving role of interpreters? Following systems theory, we can see that the interpreting profession has not been well prepared to deal with the constant and rapid change that has swept through the field over the past 40 years. The profession developed quickly in order to respond to a burgeoning need without a solid foundation in place, and the various parts of the system have not worked in tandem to achieve specific goals.

Although we have a national testing system, there are still far too many practicing interpreters that are not yet certified. By not proactively and clearly defining best practices, we may portray the idea that all models for role have equal validity in terms of describing our work accurately. Instead of presenting a consistent message to employers about our work, we continue to use inaccurate metaphors that perpetuate misconceptions about what we do. Interpreter education programs continue to graduate under-prepared interpreters even though it is clear to practi-

tioners and Deaf consumers that these new interpreters have not developed entry-level competencies. Furthermore, these programs need to re-establish authentic connections with the Deaf Community. There is little recognition outside the field of interpretation for the complexity of interpreting and we have not adequately educated the public about our role or our profession.

Laws and technology have greatly expanded education and employment opportunities for Deaf people and thus employment for interpreters. However, in the interpreting field we have a pattern of being reactive, not proactive. Some additional factors that may have influenced the lack of clarity around best practices related to role include:

- issues of power dynamics have not been adequately addressed in the field
- demand for interpreters outstrips supply, so it is a challenge to maintain quantity, quality and an acceptable standard of service
- interpreters still are graduating from programs and entering the profession without language competence, impacting their ability to function appropriately
- interpreters entering the workforce often are not supervised on-site by certified interpreters
- students often lack adequate opportunities for directed observation, discussion of case studies, and supervised internships in interpreting programs
- students often lack adequate opportunities for authentic language experiences within the Deaf community, hindering the development of fluency and cultural competence
- interpreting as a discourse process is not adequately addressed in most interpreting programs
- programs may place insufficient emphasis on a solid liberal arts education that provides breadth as well as depth and promotes critical thinking and lifelong learning

Professionalism is not a linear process, but a spiral, with each developing stage influencing the one that comes next (Tseng 1992). Being a part of a system that embraces and responds to change is critical in this development. Now the interpreting field has another opportunity to respond to a change either proactively or reactively. Video Relay Services (VRS) are irrevocably changing the way interpreters work. This new and fast-growing industry of interpreter service provision via video telephone services has raised new questions about the interpreter's role, including that of operator, particularly since the Federal Communications Commission (FCC) regulates this service. Will interpreters actively define our role in this new venue or will it be imposed on interpreters by the FCC? How do VRS interpreters integrate the tasks of operator and interpreter, particularly when dealing with consumers who may never have had to navigate automated phone trees? Additionally, VRS call centers bring together several interpreters working in the same room. Although they may give up some autonomy, interpreters will have the opportunity to benefit from working regularly in an environment with colleagues. Video relay interpreting might serve as a catalyst to push interpreters, educators and stakeholders to work productively together to define best practices related to role.

Conclusion

The purpose of defining role includes setting a professional standard and provides consistency for those working with interpreters. It also insures the dignity and well-being of all involved when there is agreement on how the interpreter functions. The values and standards of the field are then consistently perpetuated as they are taught to students and reinforced as new interpreters enter the profession.

For many years, interpreters have too often hidden behind the cloak of neutrality, avoiding the realization that taking no action can be as harmful as an inappropriate action. It will only be possible to develop best practices related to role when interpreters recognize and accept responsibility for the power they have as participants and co-constructors of meaning in an interpreted interactive event. Wilcox and Shaffer (2005) propose that as interpreters we need to "become aware of our biases, aware of our power, and aware of our creative acts of meaning co-construction, and in so doing move towards an active and conscious neutrality".

In the United States, the ASL-English interpreters who are graduating from interpreter education programs in 2006 are entering a profession that looks quite different than the one graduates entered even a few years ago. Today's graduates, will be taking a new certification test that requires demonstration of decision-making skills related to role, responsibilities and ethics; the requirement of a bachelor's degree to sit for certification; the preponderance of work in video relay centers; and the opportunity to work with Certified Deaf Interpreters (CDIs).

The role of the community interpreter is complex and requires interpreters to have critical thinking, self-assessment and reflective skills (Winston 2005). Despite many advances in the field and a strong history of legislation to support interpreting service provision, there remains today a lack of agreed-upon best practices related to the role and responsibilities of Sign Language interpreters. By taking a systemic integrated approach when addressing the gaps and inconsistencies in our systems, it may be possible for interpreter practitioners, educators and stakeholders to define best practices related to role.

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Appendix A

National Registry of Interpreters for the Deaf (RID)

Philosophy, Mission and Goal Statements

Philosophy Statement The philosophy of RID is that excellence in the delivery of interpretation and transliteration services among people who are Deaf, or Hard of Hearing, and people who are hearing, will ensure effective communication. As the professional association for interpreters and transliterators, the RID serves as an essential arena for its members in their pursuit of excellence.

Mission Statement It is the mission of the Registry of Interpreters for the Deaf, Inc., to provide international, national, regional, state, and local forums and an organizational structure for the continued growth and development of the professions of interpretation and transliteration of American Sign Language and English.

Goal Statement It is the goal of RID to promote the profession of interpreting and transliterating American Sign Language and English.

(Retrieved from http://www.rid.org/about.html, March 20, 2006)

Appendix B

The Original RID Code of Ethics (adopted in 1965)

1. The interpreter shall be a person of high moral character, honest, conscientious, trustworthy, and of emotional maturity. He shall guard confidential information and not betray confidences which have been entrusted to him.
2. The interpreter shall maintain an impartial attitude during the course of his interpreting, avoiding interjecting his own views unless he is asked to do so by a party involved.
3. The interpreter shall interpret faithfully and to the best of his ability, always conveying the thought, intent, and spirit of the speaker. He shall remember the limits of his particular function and not go beyond his responsibility.
4. The interpreter shall recognize his own level of proficiency and use discretion in accepting assignments, seeking for the assistance of other interpreters when necessary.
5. The interpreter shall adopt a conservative manner of dress upholding the dignity of the profession and not drawing undue attention to himself.
6. The interpreter shall use discretion in the matter of accepting compensation for services and be willing to provide services in situations where funds are not available. Arrangements should be made on a professional basis for adequate remuneration in court cases comparable to that provided for interpreters of foreign languages.
7. The interpreter shall never encourage deaf persons to seek legal or other decisions in their favor merely because the interpreter is sympathetic to the handicap of deafness.
8. In the case of legal interpreting, the interpreter shall inform the court when the level of literacy of the deaf person involved is such that literal interpretation is not possible and the interpreter is having to grossly paraphrase and restate both what is said to the deaf person and what he is saying to the court.
9. The interpreter shall attempt to recognize the various types of assistance needed by the deaf and do his best to meet the particular need. Those who do not understand the language of signs may require assistance through written communication. Those who understand manual communication may be assisted by means of translating (rendering the original presentation verbatim), or interpreting (paraphrasing, defining, explaining, or making known the will of the speaker without regard to the original language used.)
10. Recognizing his need for professional improvement, the interpreter will join with professional colleagues for the purpose of sharing new knowledge and developments, to seek to understand the implications of deafness and the deaf person's particular needs, broaden his education and knowledge of life, and develop both is expressive and his receptive skills in interpreting and translating.
11. The interpreter shall seek to uphold the dignity and purity of the language of signs. He shall also maintain a readiness to learn and to accept new signs, if these are necessary to understanding.
12. The interpreter shall take the responsibility of educating the public regarding the deaf whenever possible, recognizing that many misunderstandings arise because of the general lack of public knowledge in the area of deafness and communication with the deaf.

(Cokely, 2000)

Appendix C

RID Code of Ethics (As revised and adopted in October, 1979)

1. Interpreters/transliterators shall keep all assignment-related information strictly confidential.
2. Interpreters/transliterators shall render the message faithfully, always conveying the content and spirit of the speaker using language most readily understood by the person(s) whom they serve.
3. Interpreters/transliterators shall not counsel, advise or interject personal opinions.
4. Interpreters/transliterators shall accept assignments using discretion with regard to skill, setting, and the consumers involved.
5. Interpreters/transliterators shall request compensation for services in a professional and judicious manner.
6. Interpreters/transliterators shall function in a manner appropriate to the situation.
7. Interpreters/transliterators shall strive to further knowledge and skills through participation in work-shops, professional meetings, interaction with professional colleagues, and reading of current literature in the field.
8. Interpreters/transliterators, by virtue of membership or certification by the RID, Inc., shall strive to maintain high professional standards in compliance with the Code of Ethics.

(Cokely, 2000)

Appendix D

NAD – RID Code of Professional Conduct, 2005

CODE OF PROFESSIONAL CONDUCT

Registry of Interpreters for the Deaf
333 Commerce Street
Alexandria, VA 22314
703/838-0030 (V)
703/838-0459 (TTY)
703/838-0454 (Fax)
www.rid.org

NAD-RID CODE OF PROFESSIONAL CONDUCT

Scope
The National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID) uphold high standards of professionalism and ethical conduct for interpreters. Embodied in this Code of Professional Conduct (formerly known as the Code of Ethics) are seven tenets setting forth guiding principles, followed by illustrative behaviors.

The tenets of this Code of Professional Conduct are to be viewed holistically and as a guide to professional behavior. This document provides assistance in complying with the code. The guiding principles offer the basis upon which the tenets are articulated. The illustrative behaviors are not exhaustive, but are indicative of the conduct that may either conform to or violate a specific tenet or the code as a whole.

When in doubt, the reader should refer to the explicit language of the tenet. If further clarification is needed, questions may be directed to the national office of the Registry of Interpreters for the Deaf, Inc.

This Code of Professional Conduct is sufficient to encompass interpreter roles and responsibilities in every type of situation (e.g., educational, legal, medical). A separate code for each area of interpreting is neither necessary nor advisable.

Philosophy
The American Deaf community represents a cultural and linguistic group having the inalienable right to full and equal communication and to participation in all aspects of society. Members of the American Deaf community have the right to informed choice and the highest quality interpreting services. Recognition of the communication rights of America's women, men, and children who are deaf is the foundation of the tenets, principles, and behaviors set forth in this Code of Professional Conduct.

Voting Protocol
This Code of Professional Conduct was presented through mail referendum to certified interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf. The vote was to adopt or to reject.

Adoption of this Code of Professional Conduct
Interpreters who are members in good standing with the Registry of Interpreters for the Deaf, Inc. and the National Association of the Deaf voted to adopt this Code of Professional Conduct, effective July 1, 2005. This Code of Professional Conduct is a working document that is expected to change over time. The aforementioned members may be called upon to vote, as may be needed from time to time, on the tenets of the code.

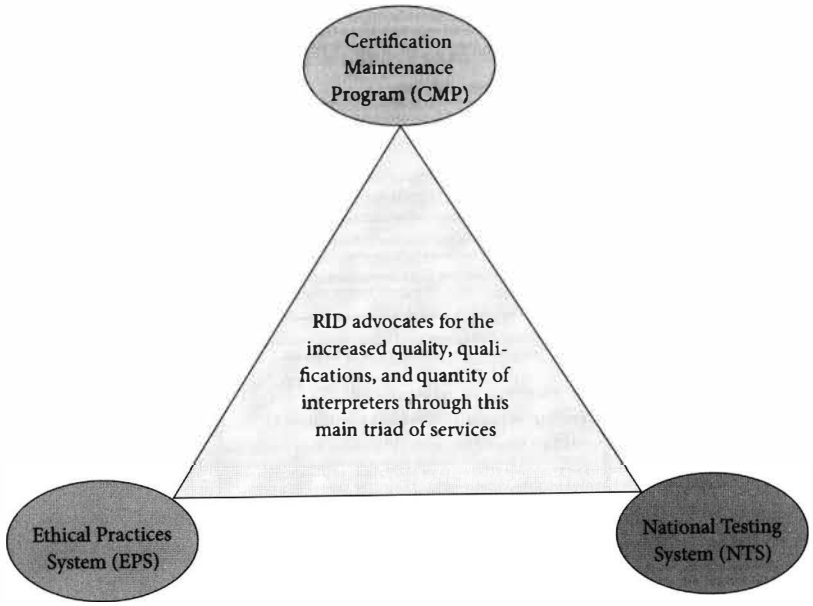
The guiding principles and the illustrative behaviors may change periodically to meet the needs and requirements of the RID Ethical Practices System. These sections of the Code of Professional Conduct will not require a vote of the members. However, members are encouraged to recommend changes for future updates.

Function of the Guiding Principles
It is the obligation of every interpreter to exercise judgment, employ critical thinking, apply the benefits of practical experience, and reflect on past actions in the practice of their profession. The guiding principles in this document represent the concepts of confidentiality, linguistic and professional competence, impartiality, professional growth and development, ethical business practices, and the rights of participants in interpreted situations to informed choice. The driving force behind the guiding principles is the notion that the interpreter will do no harm.

When applying these principles to their conduct, interpreters remember that their choices are governed by a "reasonable interpreter" standard. This standard represents the hypothetical interpreter who is appropriately educated, informed, capable, aware of professional standards, and fair-minded.

Retrieved May 28, 2007 from http://www.rid.org/UserFiles/File/pdfs/codeofethics.pdf

Appendix E



CHAPTER 4

Evolving views of the court interpreter's role

Between Scylla and Charybdis

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Monterey Institute of International Studies

The role of the court interpreter in the United States, as in many other countries, has been defined by the legal profession in light of important precepts of the adversarial justice system. Interpreters, who are considered officers of the court, are strictly forbidden to give advice or provide explanations to clarify intended meaning, and are often instructed by judges to provide a "verbatim" interpretation. However, scholarly research on the role of the interpreter has revealed the shortcomings of the argument that interpreters are mere conduits transferring verbal messages from one language to another. This paper will examine the dichotomy between the need for interpreter neutrality in an adversarial setting and the limitations this imposes on their ability to convey the full meaning of culture-bound terms. It will conclude with some suggested guidelines for navigating the treacherous waters between the Scylla of literal interpretation and the Charybdis of active intervention in the communicative event.

1. Current definitions of the court interpreter's role

Interpreters have become increasingly ubiquitous in the courts of the world (see, for example, Hertog 2001; Moeketsi and Wallmach 2005; Tsuda 2002; Valero-Garcés 2003). Though definitions and standards vary considerably from one place to another depending on factors such as the legal system and prevailing attitudes towards immigrants and minority groups, the overall purpose of providing interpreters is viewed similarly. The Model Code of Professional Responsibility for Interpreters in the Judiciary developed by the National Center for State Courts in the United States frames the role of the court interpreter in typical fashion:

> 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. As officers of the court, 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. (Hewitt 1995: 199)