University of Northern Colorado

Legal Interpreter Training Program

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INTR 482/582: Criminal Law

This is a (4) four credit hour course that will introduce the student to statutory and common law, including criminal law theory, construction and interpretation of criminal statutes, and explore the various aspects of criminal procedure. Students will visit courtrooms to analyze criminal court procedure and the implications of legal language use and criminal procedure for the interpreting process. Students will also review and analyze a variety of legal forms and documents associated with criminal procedure for the purpose of identifying the purpose/function of the forms and documents, the structure of legal language used in the forms or documents, and interpretation issues/considerations.

INTR 482/582: Criminal Law is the third in a series of four (4) courses associated with the Legal Interpreter Training Program (LiTP).
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Course Overview

Purpose

The purpose of this course is to consider criminal law and procedure specifically, and the implications of criminal procedure and legal language for the interpreting process. The expanded exploration of criminal law and procedure that will occur in this course will provide you with further awareness and understanding of the complexities and nuances of the criminal court system and the legal language and procedures used within the system. The knowledge gained from this course will enable you to define and apply the role and responsibilities of a court interpreter in a more effective and ethical manner. As well, the examination of court procedure and legal language will provide a foundation for the skills development coursework that will begin next semester.

Impact

This course provides a more thorough exploration of criminal law and procedure and will further solidify your ability to explain, and better carry out, the role and responsibility of an interpreter working in the criminal court system. An understanding of the nature, sources and limits of criminal law, the anatomy of a criminal trial, the various aspects of criminal procedure, the characteristics of legal language, the type of documents and forms used within the criminal court system, and the implications of all of these for the interpreting process will better prepare you to work effectively and ethically within the criminal justice system.

Objectives

By the end of this course, you will be able to:

- Demonstrate an understanding of the criminal justice system and the foundation upon which it is based.
- Track a criminal court matter through the preparation and trial process and define the role and responsibility of the legal interpreter in each stage of the process.
- Discuss the role and responsibility of an interpreter in the criminal justice system.
- Identify the procedures associated with criminal court proceedings.
- Discuss the characteristics of legal language and the implications of the structure and form of legal language for the interpreting process.
- Identify and discuss the purpose and function of various documents and forms used within the criminal justice system.
- Analyze various forms and documents used within the criminal justice system to isolate and identify interpreting issues and considerations.
Plagiarism Policy

**Policy on Plagiarism:** Plagiarism is the act of appropriating the written, artistic, or musical composition of another, or portions thereof; or the ideas, language, or symbols of same and passing them off as the product of one’s own mind. Plagiarism includes not only the exact duplication of another’s work but also the lifting of a substantial or essential portion thereof (UNC definition). Regarding written work in particular, direct quotations, statements which are a result of paraphrasing or summarizing the work of another, and other information which is not considered common knowledge must be cited or acknowledged, usually in the form of a footnote. Quotation marks or a proper form of indentation shall be used to indicate all direct quotes. Regarding class projects, you are not to use as your entire presentation the completed works of faculty members, fully imported websites, or any other body of work in which you are not the author. Of course, with proper referencing, you can import portions of such works and websites to enhance and illustrate your presentation, and you can provide references to these other works for students who have an interest in pursuing a topic further.

For further information, go to the following website:  
[http://www.unco.edu/dos/academicIntegrity/students/definingPlagiarism.html](http://www.unco.edu/dos/academicIntegrity/students/definingPlagiarism.html)

Diversity Statement

The College of Education and Behavioral Sciences (CEBS) supports an inclusive learning environment where diversity and individual differences are understood, respected, appreciated and recognized as a source of strength. We expect that students, faculty and staff within CEBS will be accepting of differences and demonstrate diligence in understanding how other peoples’ perspectives, behaviors, and world views may be different from their own. Furthermore, as stated by UNC, “The University will not engage in unlawful discrimination in...educational services against any person because of race, religion, gender, age, national origin, disability, or veteran status. It is the University’s policy to prohibit discrimination in...educational services on the basis of sexual orientation or political affiliation.” (See [http://www.unco.edu/hr/AAEO_TitleIX.htm](http://www.unco.edu/hr/AAEO_TitleIX.htm)).

Please visit the CEBS Diversity and Equity Committee website for more information on our commitment to diversity ([http://www.unco.edu/cebs/diversity](http://www.unco.edu/cebs/diversity)).

Students with Disabilities

**Accommodations Statement**

Students who believe that they may need accommodations in this class are encouraged to contact the Disability Support Services, Voice/TTY (970) 351-2289, or fax (970) 351-4166, or visit [www.unco.edu/dss](http://www.unco.edu/dss) as soon as possible to ensure that accommodations are implemented in a timely fashion.
Grading Scale

The points for all the assignments in a course will add up to 100 and letter grades are assigned as follows for **UNDERGRADUATE** classes:

- **A** = 100 - 91 above average achievement of objectives
- **B** = 90 - 81 average achievement of course objectives
- **C** = 80 - 71 below acceptable achievement of objectives
- **D/F** = 70 or below is considered not passing.

**Reminder:** A “B” is required in all INTR courses for academic good standing and graduation.

The following scheme will be used to assign grades for students taking this course for **GRADUATE** level credit:

- **A** = 93-100 superior achievement of objectives
- **B** = 85-92 above average achievement of objectives
- **C** = 77-84 average achievement of objectives
- Below 77 unacceptable level of achievement of objectives and considered failing

Weight will be placed on the quality of the responses and/or comments, as well as the presentation of the work (e.g., spelling, grammar). Timeliness will be a factor in grading of all assignments and will be assessed by postmark (USPS) or time/date stamp on email/Blackboard requirements.

Late Assignment Policy

Late assignments will be accepted and graded for up to 72 hours after the due date and time but the final grade will be dropped one letter. Late assignments submitted after the 72 hours that have not been approved in advance with the respective Section Facilitator will NOT be graded and students will receive a zero as the assignment grade.

Extensions for assignment due date and time must be approved in advance with the respective Section Facilitator based on the following criteria:

- The extension is requested at least 24 hours in advance of the due date and time.
- An extension is requested no more than once during any given semester.
- **No late work will be accepted in the last three days of this course.**

Exceptions to the above criteria will only be considered based on documented evidence of special circumstances—such as illness, hospitalization or death of a family member.
Required Materials

You will be using a variety of materials for this course:

Textbooks


Media (Available for purchase only at www.thebookstop.com)


The following computer CD (not DVD) may be borrowed from the UNC Library; this will play in Windows Media or RealPlayer: (http://www.unco.edu/library/services/distance.htm). This is not listed in the Roadmap, but is intended as a supplement for this course; watch at your leisure sometime during the semester.


Readings (in eReserves)


NOTE: Any additional readings and/or resources for this course will be available in the online course.
Course Preview

This course contains ten (10) lessons distributed over a semester. Each lesson contains activities designed to engage you in the review, reflection, and application of your new learning. There are a variety of these activities throughout the class—ten (10) are worth points towards your grade. To assist you further with the application of your learning, there are three (3) assignments—a fourth (4) if you are taking this class for graduate credit.

The primary differences between an activity and an assignment are the amount of time required for completion, and the point value assigned to each. The activities are designed to provide you with immediate review and reflection of the course material towards the goal of fostering discussion with peers. The assignments are designed to provide you with an opportunity to explore specific elements of the course material in more depth through research, critical analysis, and synthesis.

The organization of the course will engage you alternately in review of course notes (contained in the Blackboard course materials), assigned readings from the course textbook, supplemental readings of online articles or articles sent to you as part of the course materials, viewing of videotaped lectures (all presented in ASL), and guided online discussions.

As previously mentioned, the online discussions are an integral part of your learning process. Your ability to have meaningful participation in the online discussions is contingent on being current with the readings and other course activities. The course Roadmap, available after the Lesson Preview section of this Study Guide, provides you with a tool for guiding your progress through the course. It includes timelines and due dates associated with each lesson’s activities and assignments.
Lesson Preview

Lesson 1: Establishing the Context of Criminal Law
In order to orient you to *Cases and Materials on Criminal Law* (J. Dressler & S. Garvey, 2012), the textbook being used in this course, you are encouraged to read the Preface(s) on pp. v-xi in the front section of the textbook. This lesson – based on Chapter 1 of the textbook – will explore the nature, sources and limits of criminal law and provide the procedural context in which criminal law is applied within pre-trial and trial processes. You will review the steps associated with a criminal case, track a case from investigation through trial and appeal process, and explore cases where issues of interpretation have contributed to the appeal process. Discussion will focus on the role and responsibilities of the legal interpreter during various aspects of criminal procedure. [Note: In this Overview, all chapters mentioned refer to the *Criminal Law* text.]

Lesson Objective:
- Appreciate the nature and sources of criminal law and criminal procedure.

Lesson 2: Characteristics of Legal Language and Legal Discourse
According to the synthesis of linguistic features, Danet (1980) found that there are essentially three categories of features that typify legal English: lexicon, syntax, and discourse. In this lesson and the associated readings, each category will be elaborated (i.e., nine lexical features, eleven syntactic features, and two general discourse features). As well, this lesson will distinguish between differences in written forms of legal language and spoken varieties of what is commonly referred to as ‘legalese.’ Analysis of legal discourse will be realistic, supported by considering lines of questioning from actual court transcripts. You will have the opportunity to discuss with peers the implication of the various linguistic features associated with legal discourse on the interpreting process.

Lesson Objective:
- Demonstrate an understanding of the unique linguistic features (lexical, syntactic and discourse level) of both written and oral legal language.

Lesson 3: The Anatomy of a Trial
In this lesson you will examine the anatomy of a criminal trial beginning with pre-trial procedures through the appeals process. This examination will engage you in some online research and discussion, as well as direct observation of a criminal courtroom. You will also complete Assignment 1, which will guide you through an analysis of your direct observation of a criminal court process. As well, you will read Chapter 2, become familiar with the principles of punishment associated with the criminal justice system, and discuss your thoughts regarding some aspect of the Chapter Notes and Questions.
Lesson Objective:

- Track the progress of a criminal matter from inception of the case through disposition with an emphasis on the purpose and theories of punishment in the American Judicial System.

Lesson 4: Special Considerations: Interpreting for Deaf Individuals with Minimal Linguistic Competence

Interpreting in criminal court matters becomes more challenging and complex when it involves non-English speaking individuals who have limited education and language competence. In this lesson you will view a videotape lecture presented by Sharon Neumann Solow, M.A., MCSC, and SC:L, discussing considerations and strategies for interpreting for individuals who are not fluent in American Sign Language (ASL), written English, or a signed language. You will reflect on this videotape lecture by considering the use of CDI/Deaf interpreters and discussing your thoughts related to this topic. As well, you will continue your exploration of criminal law by reading Chapter 3, and discussing your thoughts related to some portion of the Chapter Notes and Questions with your online peers.

Lesson Objective:

- Explore the unique challenges presented when courts are faced with Deaf individuals or settings in which a Certified Deaf Interpreter is indicated.

Lesson 5: Forms and Documents Associated with Criminal Procedure

The criminal justice system involves the use of legal documents and forms. In this lesson, you will explore a variety of them through online research and access to resources in your own community. The lesson content will introduce you to a variety of considerations related to the translation process and the factors that impact on message equivalence. You will apply your observations and thinking about your new learning to the completion of Assignment 2—the analysis of legal documents to identify their purpose and elements, as well as the linguistic and cultural considerations associated with the interpretation of the legal documents. You will continue your learning regarding criminal law by reading Chapters 4 and 5, and discussing your thoughts in response to the Notes and Questions associated with each chapter.

Lesson Objective:

- Obtain and analyze various legal texts for deeper level meaning and discuss how legal texts may be translated while retaining the meaning and intent of the creator.

Lesson 6: Criminal Procedure: Evidence

In this lesson you will learn the four traditional types of evidence – real, demonstrative, documentary, and testimonial – and the basic prerequisites of admissibility – relevance, materiality, and competence. You will research the
rules of evidence for your state through online research and discuss your findings and observations with your peers. Some rules of evidence apply to all four traditional types of evidence and some apply only to some or one of them. The research you do will help distinguish which rules apply to which type of evidence. If a criminal case goes to trial, a significant amount of time will be spent presenting the evidence that supports the charge. As an interpreter, understanding the rules of evidence, the procedures used to introduce evidence into the court record, and the language used to discuss and interview witnesses about evidence is critically important. You will also explore criminal law as it relates to specific types of crime—such as homicide, rape and theft—by selecting one of several Evidence Case Studies to review and discuss with online peers.

Lesson Objective:
- Demonstrate an understanding of the rules of evidence and the way in which evidence is presented in court with an emphasis on serious criminal cases such as homicide, rape or theft.

**Lesson 7: Special Considerations: Cultural Mediation and Interpreting in the Legal Setting**

This lesson introduces you to a sample of how cultural differences can impact on perceptions of what is right and wrong and what constitutes credible evidence in a court proceeding. You will further consider the implications of cultural difference by viewing the videotape lecture—presented in ASL—*Cultural Considerations* by Theresa Smith, Ph.D., MCSC, SC:L and Ellie Savidge, M.A., CDI. You will discuss your observations and thoughts about the interpreter’s role in mediating cultural differences by responding to some thought questions related to different case studies involving non-English speaking individuals. You will also continue your learning related to the criminal legal system by reading Chapter 6, and responding online to some aspect of the Chapter Notes and Questions.

Lesson Objective:
- Appreciate how cultural differences can impact ones point of view regarding the culturally bound concepts of right and wrong through case studies and peer discussion.

**Lesson 8: Criminal Procedure: The Prosecution Perspective**

This lesson will examine the role of the interpreter in criminal proceedings when the interpreter is working with the prosecution side of an issue. The format associated with direct versus cross-examination will be discussed and the manner in which lines of questioning are organized will be reviewed, from the perspective of prosecution attorney(s). You will read Chapter 7 to begin to examine elements of specific types of crime.

Lesson Objective:
- Identify and discuss how the role of the interpreter is impacted when the interpreter is working for the prosecution during the investigation of a criminal matter, in addition to exploring lines of questioning and the elements which must be proven beyond a reasonable doubt by the prosecution.
Lesson 9: Criminal Procedure: The Defense Perspective
This lesson will examine the role of the interpreter in criminal proceedings when
the interpreter is working with the defense side of an issue. Again, the nature of
direct versus cross-examination will be discussed, as it relates to the perspective
of the defense attorney(s). You will continue to explore elements of specific
types of crime by reading Chapter 12. You will apply your understanding of the
law, and the role and responsibility of an interpreter, to various case studies
involving different case facts. Additionally, you will engage in a collaborative
assignment—Assignment 3—that involves the development of a written case
analysis that examines issues of law, procedural considerations, and interpreting
issues.

Lesson Objective:
- Identify and discuss how the role of the interpreter is impacted
  when the interpreter is working for the defense side including
  exploring how the attorney will craft cross examination questions
to convey its theory of the case.

Lesson 10: Ethical Issues and Considerations
You will engage in completing the final part of Assignment 3 during this lesson—
the reflective analysis of your group process. Reflective analysis is an important
element in gaining self-awareness. The focus will be on your contributions to the
group process—as well as the challenges you faced. This lesson will expand
discussion of ethical issues and considerations when interpreting in the criminal
process. Application of best practices will occur during peer review and
discussion of several case studies.

Lesson Objective:
- Demonstrate an understanding of the ethical issues facing legal
  interpreters through self-reflection and interaction with peers in
  analyzing case studies.
# Course Roadmap

Use this as your “map” while traveling on your distance-learning journey. All the information you need to complete the course is here in one location. Use the last column to check off each item as you complete it. Icons in the roadmap are used to indicate activities/assignments worth points for grading. Dates before or next to any activity indicate specific dates for that activity.

<table>
<thead>
<tr>
<th>Points</th>
<th>Dates</th>
<th>Activities</th>
<th>Description</th>
<th>Done!</th>
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</thead>
<tbody>
<tr>
<td>PP</td>
<td>8/25-26</td>
<td>1.1</td>
<td><strong>Online Discussion</strong>: Post an introduction in the Blackboard discussion that addresses your goals for participation in this class and how it fits into your professional plans/aspirations.</td>
<td>☐</td>
</tr>
<tr>
<td>PP</td>
<td>8/28</td>
<td>1.2</td>
<td><strong>Textbook</strong>: Read Chapter 1 of <em>Criminal Law</em>.</td>
<td>☐</td>
</tr>
<tr>
<td>PP</td>
<td>8/28-8/31</td>
<td>1.3</td>
<td><strong>Online Discussion</strong>: Post responses to thought questions about Chapter 1. This activity is worth 2.5 points.</td>
<td>☐</td>
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<tr>
<td></td>
<td>9/4</td>
<td>1.4</td>
<td><strong>Web Exploration</strong>: Research the Internet on the steps of a criminal trial.</td>
<td>☐</td>
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<tr>
<td></td>
<td>9/4</td>
<td></td>
<td><strong>Assignment 4</strong>: Graduate Summary of 1.3 Discussion due to be posted</td>
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## Lesson 1 - Establishing the Context of Criminal Law

## Lesson 2 - Characteristics of Legal Language

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<th>Description</th>
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<tbody>
<tr>
<td>9/5</td>
<td>2.1</td>
<td><strong>Reading #1</strong>: “Characteristics and Function of Legal Language” by Charrow, Crandall, and Charrow.</td>
<td>☐</td>
</tr>
<tr>
<td>PP</td>
<td>9/5-8</td>
<td>2.2</td>
<td><strong>Online Discussion</strong>: Post responses to questions associated with this article and lesson content. (Worth 2.5 points.)</td>
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<tr>
<td></td>
<td>9/11</td>
<td></td>
<td><strong>Assignment 4</strong>: Graduate Summary of 2.2 Discussion due to be posted</td>
</tr>
<tr>
<td>9/10</td>
<td>2.3</td>
<td><strong>Web Exploration</strong>: Research the Internet for examples of legal documents and/or trial transcripts.</td>
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<td>Points</td>
<td>Dates</td>
<td>Activities</td>
<td>Description</td>
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<td></td>
<td>9/10-12</td>
<td>2.4</td>
<td><strong>Online Discussion:</strong> Post observations and examples related to legal language from your internet search.</td>
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<tr>
<td></td>
<td>9/14</td>
<td>Assignment 4: Graduate Summary of 2.4 Discussion due to be posted</td>
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**Lesson 3 - The Anatomy of a Trial**

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<th>Activities</th>
<th>Description</th>
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<tbody>
<tr>
<td>9/13-15</td>
<td>3.1</td>
<td><strong>Web Exploration:</strong> Research the Internet for descriptions of criminal trial processes and view PPT: Stages of a Trial (in lesson folder)</td>
<td></td>
</tr>
<tr>
<td>PP 9/15-18</td>
<td>3.2</td>
<td><strong>Online Discussion:</strong> Post responses to thought questions associated with your internet search and other related lesson content. This activity is worth 2.5 points.</td>
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<tr>
<td>9/21</td>
<td>Assignment 4: Graduate Summary of 3.2 Discussion due to be posted</td>
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<tr>
<td>9/20</td>
<td>Assignment 1: Observation and Analysis of a Criminal Trial</td>
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<tr>
<td>9/22</td>
<td>3.3</td>
<td><strong>Textbook:</strong> Read Chapter 2 in <em>Criminal Law</em>.</td>
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<tr>
<td>9/22-25</td>
<td>3.4</td>
<td><strong>Online Discussion:</strong> Post responses to questions about Chapter 2.</td>
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<tr>
<td>9/28</td>
<td>Assignment 4: Graduate Summary of 3.4 Discussion due to be posted</td>
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**Lesson 4 - Special Considerations: Interpreting for Deaf Individuals with Minimal Language Competence**

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<th>Dates</th>
<th>Activities</th>
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<tbody>
<tr>
<td>9/28</td>
<td>4.1</td>
<td><strong>Textbook:</strong> Read Chapter 3 in <em>Criminal Law</em>.</td>
<td></td>
</tr>
<tr>
<td>9/28-10/1</td>
<td>4.2</td>
<td><strong>Online Discussion:</strong> Post responses to questions about Chapter 3.</td>
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<tr>
<td>10/2</td>
<td>4.3</td>
<td><strong>DVD:</strong> View Lecture 1: “Interpreting in the Legal Setting Involving Minimally Linguistically Competent Deaf Individuals” by Sharon Neumann Solow.</td>
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<tr>
<td>10/3</td>
<td>Assignment 4: Graduate Summary of 4.2 Discussion due to be posted</td>
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<tr>
<td>PP 10/3-6</td>
<td>4.4</td>
<td><strong>Online Discussion:</strong> Post responses to thought questions related to the videotape lecture. This activity is worth 2.5 points.</td>
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<tr>
<td>10/9</td>
<td>Assignment 4: Graduate Summary of 4.4 Discussion due to be posted</td>
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<td>Points</td>
<td>Dates</td>
<td>Activities</td>
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<td><strong>Lesson 5 - Forms and Documents Associated with Criminal Procedure</strong></td>
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<td>10/7</td>
<td>5.1</td>
<td><strong>Textbook:</strong> Read Chapters 4 and 5 of the <em>Criminal Law</em> textbook.</td>
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<td></td>
<td>10/7-10</td>
<td>5.2</td>
<td><strong>Online Discussion:</strong> Post responses to thought questions about Chapter 4 or 5. This activity is worth 2.5 points.</td>
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<td></td>
<td>10/11</td>
<td>5.3</td>
<td><strong>Web Exploration:</strong> Research and review samples of court documents and samples of written analysis in preparation for Assignment 2.</td>
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<tr>
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<td>10/13</td>
<td>5.4</td>
<td><strong>Assignment 4:</strong> Graduate Summary of 5.2 Discussion due to be posted</td>
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<tr>
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<td>10/14</td>
<td>5.5</td>
<td><strong>Assignment 2:</strong> Analysis of Criminal Procedure Documents</td>
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<td>10/21</td>
<td>5.6</td>
<td><strong>Assignment 4:</strong> Graduate Summary of 6.2 Discussion due to be posted</td>
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<td>10/23</td>
<td>5.7</td>
<td><strong>Online Discussion:</strong> Post responses to questions related to the Case Study you selected. This activity is worth 2.5 points.</td>
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<tr>
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<td>10/26</td>
<td></td>
<td><strong>Assignment 4:</strong> Graduate Summary of 6.4 Discussion due to be posted</td>
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<td><strong>Lesson 6 - Criminal Procedure: Evidence</strong></td>
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<tr>
<td></td>
<td>10/16</td>
<td>6.1</td>
<td><strong>Online Reading:</strong> Read online article/link related to Evidence (link provided in Lesson 6 document in lesson folder).</td>
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<tr>
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<td>10/17-18</td>
<td>6.2</td>
<td><strong>Online Discussion:</strong> Post responses to thought questions related to Evidence reading,</td>
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<td>10/19-20</td>
<td>6.3</td>
<td><strong>Review Cases:</strong> Review and select a Case Study from lesson content and examine various elements. (see Lesson 6 document in lesson folder).</td>
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<td>10/21</td>
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<td><strong>Assignment 4:</strong> Graduate Summary of 6.2 Discussion due to be posted</td>
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<tr>
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<td>10/23-25</td>
<td>6.4</td>
<td><strong>Online Discussion:</strong> Post responses to questions related to the Case Study you selected. This activity is worth 2.5 points.</td>
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<td></td>
<td>10/26</td>
<td></td>
<td><strong>Assignment 4:</strong> Graduate Summary of 6.4 Discussion due to be posted</td>
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<td></td>
<td>10/25</td>
<td>7.1</td>
<td><strong>DVD:</strong> View Lecture 2: “Cultural Considerations” by Theresa Smith and Ellie Savidge.</td>
</tr>
<tr>
<td></td>
<td>10/25-28</td>
<td>7.2</td>
<td><strong>Online Discussion:</strong> Post responses to questions associated with the DVD lecture.</td>
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<tr>
<td></td>
<td>10/30</td>
<td>7.3</td>
<td><strong>Textbook:</strong> Read Chapter 6 of <em>Criminal Law</em>.</td>
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<tr>
<td>Points</td>
<td>Dates</td>
<td>Activities</td>
<td>Description</td>
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<td></td>
<td>10/31</td>
<td>Assignment 4: Graduate Summary of 7.2 Discussion due to be posted</td>
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<td></td>
<td>11/1</td>
<td>7.4</td>
<td>Textbook: Review Case Studies.</td>
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<td>11/1-4</td>
<td>7.5</td>
<td>Online Discussion: Post responses to questions on cases in Chapter 6. This activity is worth 2.5 points.</td>
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<tr>
<td></td>
<td>11/7</td>
<td>Assignment 4: Graduate Summary of 7.5 Discussion due to be posted</td>
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<td><strong>Lesson 8 - Criminal Procedure: The Prosecution Perspective</strong></td>
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<td></td>
<td>11/7</td>
<td>8.1</td>
<td>Online Reading: Read lesson content re: role and responsibility of Table Interpreter for the prosecution and direct and cross-examination procedures. (see lesson 8 document in lesson folder)</td>
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<td></td>
<td>11/8</td>
<td>8.2</td>
<td>Textbook: Read Chapter 7 of Criminal Law.</td>
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<td></td>
<td>11/8-10</td>
<td>8.3</td>
<td>Online Discussion: Post responses to questions related to one of the Case Studies listed in this activity. This activity is worth 2.5 points.</td>
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<tr>
<td></td>
<td>11/13</td>
<td>Assignment 4: Graduate Summary of 8.3 Discussion due to be posted</td>
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<td><strong>Lesson 9 - Criminal Procedure: The Defense Perspective</strong></td>
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<tr>
<td></td>
<td>11/13</td>
<td>9.1</td>
<td>Online Reading: Read lesson 9 content re: role and responsibility of the Table Interpreter for the defense and direct and cross-examination procedures.</td>
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<tr>
<td></td>
<td>11/16-20</td>
<td>9.3</td>
<td>Online Discussion: Post responses to questions related to one of the Case Studies listed in this activity. This activity is worth 2.5 points.</td>
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<td><strong>THANKSGIVING HOLIDAY BREAK 11/26-30</strong></td>
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<td>11/23</td>
<td>Assignment 4: Graduate Summary of 9.3 Discussion due to be posted</td>
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<td>11/30</td>
<td>Assignment 3: Part A - Collaborative Case Analysis</td>
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<td>Points</td>
<td>Dates</td>
<td>Activities</td>
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<td>12/6</td>
<td>10.1</td>
<td>Reading #2: “The Problem with Discourse: Cultures in Conflict” by Robin Riddington. Also review cases listed in this activity.</td>
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<td>12/8</td>
<td>10.2</td>
<td>Online Discussion: Post responses to questions related to the Case Study of your choice from Activity 10.1</td>
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<tr>
<td></td>
<td>12/11</td>
<td></td>
<td>Assignment 4: Graduate Summary of 10.2 Discussion due to be posted</td>
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<td>Complete online course evaluation. Check your Bearmail for the dates the evaluation is open.</td>
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<tr>
<td>End of Semester</td>
<td>12/12</td>
<td></td>
<td>Congratulations! You have completed the third course in the Legal Interpreter Training Program. Final grades will be posted within 3 days of the end of the semester.</td>
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## Assignments

### Assignment Overview

<table>
<thead>
<tr>
<th>Activities 1-10</th>
<th>Description</th>
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| Points: 25 (2.5 each) | Lesson Activities  
Each of the ten lessons involves a variety of activities designed to facilitate your understanding of course content. At least one activity in each lesson is worth 2.5 points. These activities are designed to foster your immediate review, reflection and application of course content to online discussions with peers. The required lesson activities will be noted within the full online course materials. Students are encouraged to complete ALL recommended course activities. |

| Assignment 1 | Observation and Analysis of Criminal Trial  
You will observe a criminal trial and prepare a written analysis that includes:  
- A description of the process you went through to identify and select the criminal trial you observed.  
- The specific citation of the matter you observed and details of the date, location, courtroom number, and other identifying information.  
- A chart defining the physical set-up of the courtroom and identification of where courtroom personnel and parties were located.  
- A narrative summary.  
Submit your analysis to the drop box. |
| Levels: 20 | Due Date: 9/20 |

The trial you observe cannot be one in which you are a party or an interpreter. It is not expected that it will be a trial that involves non-English speaking individuals or interpreters—although if you are able to arrange to observe such a matter that is fine.

| Assignment 2 | Analysis of Criminal Procedure Documents  
Make contact with the Court Administrator of a criminal court in your area and request a copy of the following six (6) forms:  
1. A form a person completes when they are requesting that the court appoint and pay for an attorney in a criminal matter.  
2. A form that is submitted to the court when an individual enters a guilty plea (sometimes referred to as a guilty plea litany).  
3. A form given to prospective jurors to complete.  
4. A form used to request a restraining order.  
5. Any two (2) other forms that are used regularly as part of the criminal court system in your area.  
Create a written analysis that includes a brief written summary of the purpose and function of each form, an analysis of the legal language used in each form, and a discussion of the implications of the legal language analysis for the interpretation and/or translation of each of the forms.  
Mail to your facilitator via USPS or submit to the assignment tool if you have them electronically. |
<p>| Levels: 20 | Due Date: 10/14 |</p>
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<thead>
<tr>
<th>Description</th>
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<tr>
<td><strong>Assignment 3: Part A</strong>&lt;br&gt;<strong>Points:</strong> 25&lt;br&gt;<strong>Due Date:</strong> 11/30</td>
</tr>
<tr>
<td><strong>Assignment 3: Part B</strong>&lt;br&gt;<strong>Points:</strong> 10&lt;br&gt;<strong>Due Date:</strong> 12/3</td>
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</table>
Assignment 4: Graduate Student Discussion Summaries

There are 15 discussion forums within this class. Depending on the number of graduate students enrolled in the course, each graduate student will be assigned 2-3 discussion forums to review and provide a written summary of the discussion to post to the entire class. These discussion summaries will be due two (2) to three (3) days after the last day of a discussion forum as noted in the roadmap. The facilitator will assign these activities during the first week of class.

The purpose of these summaries is to synthesize the various perspectives offered during the discussion and to isolate the most salient points that were made, identify the questions that remain, redirect focus to course material that reinforces salient points of the class, and offer resources and insights that expand an appreciation of salient points.

There are no points offered for these summaries—they are seen as leadership contributions to the class that graduate students should be capable of contributing. However, if the summaries are not done or are not done in accordance with established criteria, they can result in a deduction of 5 points per summary from the final course grade.

In those instances where there are an insufficient number of graduate students to provide a summary for all 14 discussions, graduate students who wish more leadership opportunity can offer to do more than the required summaries.

See assignment 4 description for further guidance.

For more detail:
A complete description of each assignment is included in the online course content.

Total Points: 100

Be sure you follow the guidelines in your Student Handbook throughout the course for each assignment.

- Guidelines For Use Of Technology
- Guidelines For Online Discussions
- Guidelines For Written Assignments
Course Summary

Conclusion

This course introduced you to statutory and common law, including criminal law theory, construction interpretation of criminal statutes, and explored the various aspects of criminal procedure. You visited courtrooms to analyze criminal court procedure and the implications of legal language use and criminal procedure for the interpreting process. You also reviewed and analyzed a variety of legal forms and documents associated with criminal procedure for the purpose of identifying the purpose/function of the forms and documents, the structure of legal language used in the forms or documents, and interpretation issues/considerations. The overarching goal of this course was to orient you to criminal law and procedure and your role as an interpreter within the criminal law structure.

Key Points

- There exist three standards of proof used in the American legal system. They are:
  - Preponderance of the evidence – which is a general standard of proof most often used in civil cases and refers to the evidence that the judge or jury (depending on who is the ‘trier of fact’) finds most believable or convincing than the evidence presented in opposition.
  - Clear and convincing evidence – which is the standard that requires the trier of fact to be persuaded that there is a high probability that the fact in question exists and typically allies to some civil cases or some lesser criminal offenses (Zahler, 1989).
  - Beyond a reasonable doubt – this is the highest standard, and applies to most criminal cases. It is a special standard or quantum of proof.

- The basic prerequisites of admissibility of evidence are relevance, materiality, and competence. In general, if evidence is shown to be relevant, material, and competent, and is not barred by an exclusionary rule, it is admissible.

- The prosecutor's duties include:
  - Assessing the investigative reports to determine whether there is sufficient evidence to file a criminal complaint against a suspect, or whether a complaint should be denied (the lack of sufficient evidence or the unavailability of witnesses are often factors for denying a criminal complaint)
- Notifying victims of criminal charges, victims' rights, the availability of services, court dates, plea agreement, pre-trial diversion, changes in court schedules, and the date, time and place of sentencing
- Witness trial preparation and management

- The defense attorney’s duties include:
  - Helping defendants cope with the feelings of fear, embarrassment and reduced self-esteem that criminal charges tend to produce in many people
  - Providing defendants with a reality check—a knowledgeable, objective perspective on their situation and what is likely to happen should their cases go to trial
  - Being familiar with important legal rules that people representing themselves would find almost impossible to locate on their own
  - Being familiar with local court customs and procedures
  - Understanding the possible "hidden costs" of pleading guilty
  - Spending time on a case that a defendant cannot afford to spend
  - Gathering information from the prosecution
  - And, defense attorneys hire and manage investigators, who may be able to believably impeach (discredit) prosecution witnesses who lie, or embellish or change their stories at trial.

- A defense strategy typically emerges as a defense attorney finds out about the prosecution's evidence and the defendant's version of events. The process of developing a defense strategy is usually fluid, and it varies from one case to another.

- The role of the interpreter differs depending on who the interpreter is working for—the court or the defense. Roles and responsibilities differ accordingly.

- The theory of the interpreter as a mediator/ally focuses on the recognition of power imbalances in our society and strives to use our position as interpreters to create more balance—particularly in communication interactions.

- The mediator/ally interpreter theory is not intended as a model of leadership in an effort to advance the 'Deaf Agenda.' Rather, it is intended as a theory that begins in the recognition that power inequities exist and that interpreters can use their position to generate a more equitable distribution of power during the communication process.

- Legal language is complex and is influenced by a variety of historical, political, sociological, and jurisprudence factors.

- Legal language differs from ordinary language use at a lexical, syntactic, and discourse level.
• The complexity of legal language impacts on comprehensibility of the meaning associated with legal language and this has significant implications for legal interpreters.

• Interpreters must be prepared to provide an equivalent representation of legal language in ASL and this requires an appreciation, understanding, and knowledge of the meanings associated with legal language as it is used in various contexts.

• Part of the challenge of sight translation is the nature of written legal language. Written legal material is often more densely packed with information than spoken language. Furthermore, printed information does not include the prosodic elements of intonation, stress, pacing and pausing that are associated with spoken or signed language; thus additional clues used for comprehension are not available.

• The key to delivering sight translation effectively is the ability to grasp the meaning of complex legal documents. This requires the interpreter to be widely read and engage in such reading frequently to maintain fluency.

• Your ability to apply reasoning to your decision-making is informed by your currency in the field—what you know about best practices (which naturally includes stated codes of professional conduct), how connected you are to other current practitioners, how well-read you are about current theories in the field, and how effective you have been in anticipating possible ethical conflicts that you will confront, and exploring appropriate options for resolution or management of the conflicts.

What’s Next

This concludes your Criminal Law coursework and provides you with the foundation necessary to begin the next course—INTR 483 Internship: Skill Development for Legal Interpreters.

In the Skill Development class you will engage in the analysis of a variety of interactive texts drawn from both criminal and civil processes and provide samples of your interpretation work to your skills mentor who will provide you with feedback and ideas for enhancing your work. In particular, you will focus on the application of a system of self-analysis based on the work of Dr. Marty Taylor. You will engage in the translation of various texts with attention to the interpretation of lines of questioning that emerge in direct and cross-examination and frozen texts associated with the legal system. You will give consideration and discussion to the cultural and linguistic issues that emerge in the texts and the challenges the texts present for interpretation. Online interactions with your peers will enhance your appreciation of the deeper levels of meaning within the texts, cultural considerations that impact the interpreting process, and strategies for effectively interpreting legal texts.
Quality Instruction
Preparing
Qualified Interpreters