

1.07 Interpreter for a Hearing-Impaired Juror

One of the jurors in this case is hearing impaired and has the right to be accompanied by a court-appointed interpreter during the trial and deliberations. When addressing the hearing-impaired juror, you should speak directly to the juror, and not to the interpreter. Although the interpreter is not a juror, and you may not discuss the case with the interpreter, [he] [she] will keep strictly confidential all matters discussed during deliberations. If you have reason to believe that the interpreter is doing more than interpreting, let me know immediately by writing a note and giving it to the [clerk] [bailiff] [deputy].

Notes on Use

This instruction should be given whenever there is a hearing-impaired juror on the jury who is using a court-appointed interpreter. It should be given at the start of the trial because the hearing-impaired juror can be assisted by a court-appointed interpreter throughout the trial and deliberations.

Comment

Illinois Code of Civil Procedure, 735 ILCS 5/8-1402, provides for a hearing-impaired juror to be accompanied by a court-appointed interpreter throughout the trial and deliberations. This instruction explains this right to the jury and clarifies the role of the interpreter. Although the Jury Secrecy Act, 705 ILCS 315/1, indicates that only jurors can be present during deliberations, it provides an exception for an interpreter for a hearing-impaired juror.

Instruction, Notes on Use and Comment approved March 2017.