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## Why would I need an interpreter at trial?

My client speaks some English, not great, he can understand what he has to say. Why is it that when we get to trial, the judge will require that I have an interpreter at the time of trial? You want to know why? Come join me for a moment as I share with you some terrific information.

Hi. I'm Gerry Oginski. I'm a New York medical malpractice and personal injury attorney practicing law in the state of New York. My client doesn't speak really good English, and now whatever English he does know, you can understand bits and pieces of what he has to say, but the reality is it would be so much better if we had a translator. Right before the trial starts, the judge will ask me, does anybody here need an interpreter? And I will tell the judge, "Listen, judge, my client speaks a different language than English. It's not his first language. He understands some of it," and then the judge is going to turn around and say, "Let's order an interpreter."

Why would he do that? He wants to do that for one key important reason. When I ask questions, now the judge wants to make sure that those questions are properly interpreted and that the witness fully understands exactly what I'm asking. Likewise, when he gives an answer, now the interpretation of that answer should be fully intelligent and the jury should be able to understand it. The only way they're going to truly understand it is with an interpreter who truly understands this particular language.

If the judge allows us to proceed forward without an interpreter, now what's going to happen is there's going to be interpretations and there's going to be difficulty. The witness may not fully understand all the questions I'm asking. Then, the information he's providing to us may be a very heavy accent, may not understand everything, and now

the jury's going to have a lot of difficulty trying to understand what the witness is saying. In order to prevent any misunderstanding, either with the questions that are being asked or the answers that are given, the judge makes us get an interpreter and this way, it avoids everything.

I'll tell you one slight drawback in having an interpreter. The slight drawback is it will extend the time that we are present in the courtroom to go ahead and question a particular witness. Why is that? Every single time I ask a question, now the interpreter must take my question from English and translate it into another language. Then in the reply, he's got to take that information from the witness and now translate it into English. That step, getting it translated back and forth, takes additional time, but it's something that we will have to do in order to make sure that the jury and importantly, the witness, understand everything that's going on.

Why do I share this great information? I share it with you to give you an insight and an understanding into what goes on when a witness doesn't speak great English or doesn't speak English at all. I realize you're watching this video because you have questions or concerns about your own particular matter. Well, if your matter did happen here in New York and you're thinking about bringing a lawsuit but you have legal questions that need answers, what I invite you to do is pick up the phone and call me. I can answer your legal questions.

That's something I do every single day, and I'd love to chat with you. You can reach me at 516-487-8207 or by email at [gerry@oginski-law.com](mailto:gerry@oginski-law.com). That's it for today's video. I'm Gerry Oginski. Have a wonderful day.