

1 **13-110A. Instruction to jury.**¹

2 [~~Ladies and gentlemen~~] Members of the jury, we have at least one [non-English-speaking]
3 [hearing-impaired]² juror who is participating in this case. New Mexico law permits all citizens to
4 serve on a jury whether or not [English is their first language] [they are hearing-impaired].² You
5 must include this [these] juror(s) in all deliberations and discussions on this case. To help you
6 communicate, the juror(s) will be using the services of the official court interpreter. The following
7 rules govern the conduct of the interpreter and the jury:

8 1. The interpreter's only function in the jury room is to interpret between
9 [English and [the non-English-speaking juror(s)' native language]] [speech and sign language].²

10 2. The interpreter is not permitted to answer questions, express opinions, have
11 direct conversations with other jurors or participate in your discussions or deliberations.

12 3. The interpreter is only permitted to speak directly to a member of the jury
13 to ensure that the interpreter's equipment is functioning properly and to advise the jury foreperson
14 if a specific interpreting problem arises that is not related to the factual or legal issues in the case.

15 4. No gesture, expression, sound or movement made by the interpreter in the
16 jury room should influence your opinion or indicate how you should vote.

17 5. If you can speak both English and [the language of the non-English speaker]
18 [read sign language],² you must speak only English in the jury room so the rest of the jury is not
19 excluded from any conversation.

20 6. Leave all interpretations to the official court interpreter. The interpreter is
21 the only person permitted to interpret conversations inside the jury room and testimony in the
22 courtroom.

