

**Index of Public Records Exemptions
Relating to Interpreter Information**

[ORS 40.272](#) – sign language interpreter privilege

[ORS 40.273](#) – non-english-speaking-interpreter privilege

Exemption Statute and Title: [ORS 40.272](#) Sign Language Interpreter Privilege

Summary: Privileged communications translated through a sign language interpreter remain privileged.

Relevant Text: [ORS 40.272](#)

(2) A person with a disability has a privilege to refuse to disclose and to prevent a sign language interpreter from disclosing any communications to which the person with a disability was a party that were made while the interpreter was providing interpretation services for the person with a disability. The privilege created by this section extends only to those communications between a person with a disability and another, and translated by the interpreter, that would otherwise be privileged under [ORS 40.225](#) to [40.295](#).

Key Terms: [ORS 40.272\(1\)](#)

(a) “Person with a disability” means a person who cannot readily understand or communicate the spoken English language, or cannot understand proceedings in which the person is involved, because of deafness or because of a physical hearing impairment or cannot communicate in the proceedings because of a physical speaking impairment.

(b) “Sign language interpreter” or “interpreter” means a person who translates conversations or other communications for a person with a disability or translates the statements of a person with a disability.

Enumerated Exceptions or Public Interest Balancing Test? The privilege only applies to communications that are otherwise privileged under ORS 40.225 to 40.295.

Applied in Court Cases, AG Opinions and/or Public Records Orders? No.

Exemption Statute and Title: [ORS 40.273](#) Non-English-Speaking Person-Interpreter Privilege

Summary: Privileged communications of a non-English-speaking person translated by an interpreter remain privileged.

Relevant Text: [ORS 40.273](#)

(2) A non-English-speaking person has a privilege to refuse to disclose and to prevent an interpreter from disclosing any communications to which the non-English-speaking person was a party that were made while the interpreter was providing interpretation services for the non-English-speaking person. The privilege created by this section extends only to those communications between a non-English-speaking person and another, and translated by the interpreter, that would otherwise be privileged under [ORS 40.225](#) to [40.295](#).

Key Terms: [ORS 40.273\(1\)](#)

(a) “Interpreter” means a person who translates conversations or other communications for a non-English-speaking person or translates the statements of a non-English-speaking person.

(b) “Non-English-speaking person” means a person who, by reason of place of birth or culture, speaks a language other than English and does not speak English with adequate ability to communicate in the proceedings.

Enumerated Exceptions or Public Interest Balancing Test? The privilege only applies to communications that are otherwise privileged under ORS 40.225 to 40.295.

Applied in Court Cases, AG Opinions and/or Public Records Orders? No.