



## National Association of Judiciary Interpreters & Translators

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July 13, 2009

Hon. Herbert Kohl  
Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Re: S. 1329 to authorize the Attorney General to award grants to State courts to develop and implement State courts interpreter programs.

Dear Senator Kohl:

On behalf of the National Association of Judiciary Interpreters and Translators, a professional association of language specialists in the legal interpreting and translation field, we write in support of S. 1329 to authorize the Attorney General to award grants to states to develop and implement state court interpreter programs.

Court interpretation is a highly-skilled profession requiring specialized training and experience. Even bilingual individuals who speak languages at a high degree of fluency are not qualified thereby to provide legal interpreting or translation services in judicial or quasi-judicial settings. In a courtroom, language and the law combine to demand excellence and full command of technical language, nuance, register, and vocabulary. In addition, there are skills that an interpreter must possess to interpret in the modes of interpretation already established by federal statutes, court rules, case law, and the profession, including knowledge of strict ethical requirements in these settings.

NAJIT members interpret every day in federal, state, and municipal courtrooms, jails, prisons, attorneys' offices, law enforcement agencies, and in other justice agency settings. We strive to provide services of the highest quality and invest time, energy, and money in improving our skills because court interpreting is such demanding work. We see first-hand some of the challenges that our courts and other justice partners are experiencing in the use and misuse of interpreters.

NAJIT is aware that even states that have established otherwise solid interpreter programs have been hampered by diminishing or non-existent funds to recruit, train, test, and retain certified and qualified interpreters. Other states are still struggling to organize and provide reliable language services to the limited English proficient population. Still others have been forced to rely on a scattershot approach to providing language service, often using interpreters who lack linguistic competence or skills, or are unaware of courtroom protocols and their role and professional responsibilities due to lack of orientation and training. We encounter numerous cases

in which interpreters have not been provided, or where untrained bilinguals, friends, family members, bystanders and even children have been utilized because the court is either unaware of what constitutes minimum standards of competency or does not have funds to pay for competent interpreter services.

Haphazard use of untrained and uncertified individuals ultimately costs the judicial system much more than seed funding for court interpreter programs that include reliable standards and certification. The lack of competent interpreter services also negatively impacts the efficient administration of justice and affects the court's ability to function effectively. The use of untrained and uncertified individuals as interpreters has resulted in cases being reversed, dismissed, re-tried or being brought to conclusion with reduced charges—all at considerable cost to the courts and the public.

The United States is a diverse country. Every day, thousands of citizens and residents who have not yet mastered English come in contact with a judicial system that they cannot fully understand nor effectively access due to language barriers. We are well aware that this diversity poses unique challenges in providing effective delivery of government services, particularly in the courts.

The continuing shortage of qualified interpreters has been widely reported in the media. Many have expressed their concerns about this shortage in legislative hearings. September 11, 2001, and other disastrous events have alerted us to our urgent language needs and the need to organize our certified and qualified interpreters and translators. Hurricane Katrina and other tragedies remind us of our deficiencies in this area. Yet, there have been few incentives and no funding to recruit, train, and test aspiring interpreters and/or to retain existing certified and qualified interpreters.

Serious communication problems not only affect people's rights, equal access, equal protection, health, life, and safety, but also our national security. Too many officials at the national and local levels miss the critical link between legislated interpreter and translator credentialing and our country's compromised ability to respond to national disasters. Only through legislation and appropriation can we improve access to services throughout all levels of local and state government.

**For all of the above reasons, NAJIT commends S. 1329 for its recognition that court interpreter programs need support, and strongly urges its passage.**

Sincerely yours,

Rosemary W. Dann, Esq.  
Chair of the Board of Directors  
National Association of Judiciary Interpreters and Translators