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Letter from the Editor



Dear Readers,

Okay, I'll admit it: I logged into Facebook once yesterday (well, perhaps I logged in a few times, but that's not the point). As I was perusing my "home" page, I stumbled upon this update from a dear friend in Brazil: "There you enough in the restaurant and ask for the double salad garco. Immediately he question: are you expecting a person?" It took me a long hot second to realize that I was reading an automatic translation from Portuguese, with this rather amusing post in English as the end result. It's times like these when I think, "Thank goodness. My job is not yet obsolete." Dan Decoursey addresses such fears when responding to a concerned reader in "Ask an Interpreter." If you were worried about being replaced by technology altogether, never fear. Technology has its place but it cannot yet do our job.

And with that...welcome to the winter/spring issue of *Proteus*! If you live in the warmer parts of our great nation you can ignore my seasonal metaphors, but those of us here in the northeast are beginning to leave our warm beverages and fireplaces behind to bask in the sun as we read this latest issue. And as we do so, we may consider the somewhat solitary life that interpreters, especially freelancers, can lead. Take a look at Hilda Shymanik's story in "How I Handled It," and note her suggestions for maintaining a network, both social and professional, amongst interpreters ("birds of feather flock together...you may want to wear a hat!")

Again for those of us living in places where these last few chilly months entailed snow and plummeting temperatures, we know it is still a little cold out there to be walking around with no clothes. But as Cecilia Golumbeanu points out in "Cracking the Code," there is more than one meaning to the word "naked." Take the phrase, "naked price fixing" for example. How would you translate that in your language?

Moving right along into the heart of our issue, we have two excellent feature articles this season: Milena Waldron brings us news of the ASTM standard, which we can rely upon to back us up when we are put in uncomfortable and at times unethical

situations. And Silvia Koch paints a vivid picture of life as a special education interpreter; I always find it fascinating to learn about what goes on in the world of interpreting outside the courtroom.

And finally, dear readers, as usual, you can finish up the issue with some amusing *Notable Quotables*, "Last Laugh," and Mr. Siller's Poem in "For Better or Verse." Then, as always, consider submitting comments, questions, and even articles to be published in our next issue

Hope to see you soon in San Antonio!

Warmly,
Athena Matilsky, Proteus Editor-in-chief

Meet the Editors



Arianna M. Aguilar has a degree in communications and has been interpreting and translating since 1999. She has been a certified court interpreter in North Carolina since 2005, and master certified Spanish-language court interpreter since 2013. She is president of Latino Outreach Consulting of NC, Inc., a translation and consulting agency, and is a published author. She has given presentations on a range of topics at both NAJIT and American Translators Association (ATA) conferences.



Rosemary Dann currently lives in Phoenix, AZ. (Yes, but it's a DRY heat.) She holds a B.A. and M.A. in Spanish language and literature, as well as a J.D. degree. She is also a Massachusetts state-certified Spanish-language court interpreter. She has worked as a high school and college instructor, held various law jobs including law clerk to two judges, a public defender, and a private practitioner, and has free-lanced as a judiciary interpreter in Massachusetts, New Hampshire and Florida. She joined NAJIT after attending "The Institute" in 1999 (thank you, Cristina Helmerichs!) and has since served on numerous NAJIT committees and on the Board of Directors for six years, two as chair. She took over the position of editor-in-chief of *Proteus* upon Nancy Festinger's retirement from that post, and now turns over the reins to the very capable Athena Matilsky. She is staying on staff as the unofficial "advisor-in-chief", as she has returned to college as a theater major in performing arts. Her bucket list includes visiting Machu Picchu, seeing her son married, and appearing in a national TV commercial.



Dan DeCoursey is a state and federally certified court interpreter in San Diego, as well as an ATA-certified Spanish>English translator. After working for several years as a teacher and textbook editor, he was ready to make a change, so he moved to Guadalajara, Mexico, where he earned a master's degree in translation and interpreting from the Universidad Autónoma de Guadalajara. He has over a decade of experience working as an interpreter in both state and federal court, and as a freelance translator specializing in legal documents. Currently, he is a staff interpreter at the U.S. District Court for the Southern District of California (San Diego).



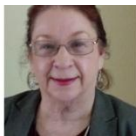
Cecilia Golumbeanu is a Romanian-language court interpreter and a French-language translator in New York. As a Fulbright Scholar at the University of Michigan in Ann Arbor, she wrote a legal and economic bilingual dictionary of American and European terms, published in 2005 in Romania. She has a bilingual blog of thoughts and links on language, arts and science at ceciliago.wordpress.com.



Athena Matilsky is a Spanish-language interpreter certified by the United States federal courts and approved at the master level by the New Jersey state courts. She is also a certified healthcare interpreter, and she holds a B.A. from Rutgers University in Spanish interpretation and translation. She is a fulltime staff interpreter at Mercer County Superior Court in Trenton, NJ, where she was recently involved in the working group for drafting the statewide Language Access Plan. She teaches classes in interpretation with de la Mora Interpreter Training and gives private classes to individual students. In addition to being editor-in-chief of *Proteus*, she is a regular contributor to the NAJIT blog and a member of ATA. When she is not busy writing or interpreting, you may find her in acrobatic partner yoga poses or studying French.



Andre Moskowitz is a Spanish-language interpreter certified by the United States federal courts and the California state courts. He is also a Hispanist, lexicographer and dialectologist, who has published a series of works in the areas of Spanish lexical dialectology and Spanish lexicography. He taught English in Colombia and Ecuador for four years, and holds a B.A. in humanities from Johns Hopkins University (1984), an M.A. in translation studies from the City University of New York Graduate Center (1988), and a second M.A. in Spanish with a minor in Portuguese from the University of Florida (1995). He is certified by the American Translators Association as a Portuguese>English, Spanish>English and English>Spanish translator. He is also an editor for *Intercambios*, the newsletter of the Spanish Language Division of the American Translators Association (ATA).



Kathleen Shelly, a Delaware and Maryland translator and interpreter certified by the Consortium for Language Access in the Courts, has worked as a professional interpreter and translator for the past 18 years. She has a master's degree plus doctoral work in

Latin American literature from the Ohio State University, and was a college professor for 12 years. A member of NAJIT since 2005, she has served as Secretary of the Board of Directors and a co-editor of *Proteus*, and always welcomes the opportunity to work to promote the interpreting profession. She is also a member of ATA and Delaware Valley Translators Association

Special Education Interpreting: Challenges and Legal Aspects

By Silvia González Koch

[This article provides analysis of the challenges that educational language interpreters face in providing services in special education procedures, and focuses on interpreting in eligibility meetings. The author provides relevant information about special education and the laws that govern it, as well as resources and ideas for coping with these challenges.]—Ed.



Is interpreting in schools the proverbial “walk in the park?” Compared to interpreting in courts, school interpreting is different. There is often less intensity in the educational environment than in court proceedings. School proceedings are not legal proceedings; they are administrative and educational procedures, in which collaboration is the point of departure in even the most difficult school meetings, with the primary focus on what is in the best interest of the child. This is not to say that special education school procedures are not without significant challenges and legal ramifications. Like court proceedings, educational procedures also involve legal requirements and issues, special terminology, and important decisions.

Challenges of school interpreting in special education

Let’s begin with the advantages of interpreting in schools. First, most interpreters will have had first-hand experience with general education; they understand what schools are about and what goes on in them. Another plus is that interpreters understand the most basic general educational vocabulary, systems, and processes. General education is familiar territory. In addition, qualifying to be a school interpreter is less demanding than qualifying to be a court interpreter. Qualifying as a school interpreter may include taking language tests and completing coursework about interpreting standards, strategies, and expectations. Not all school systems offer or require training, and some outsource

interpreting to companies that may not require rigorous training specific to education. Now, let's look at the challenges of translating in special education proceedings.

A most difficult challenge

No challenge may be as exacting for interpreters as serving in special education eligibility meetings. The field of special education is rather complex and is governed by strict legal procedures. Although the special education process requires other meetings, eligibility meetings are pivotal and seem to be particularly complex for interpreters.

Special education

Special education is a service offered to students who are facing learning challenges due to a disability. These services are required by law and offered in the student's school, whenever possible, free of charge. Identification of students for provision of services is subject to strict legal regulations and deadlines, and uses special technical terminology.

To receive special education services students must first be found to have a disability. There are thirteen types of disability, and the student must meet the criteria for at least one in order to receive services. There must be a clear determination of the learning challenges, possible causes, and verification that they are indeed present and affect learning. A determination is made at an eligibility meeting, which in turn must have been preceded by other specific processes. The eligibility meeting is pivotal. Time is of the essence because schools must complete required procedures according to specific timelines. Eligibility meetings concerning different students may be scheduled an hour or less apart. Thus, interpreters must prepare themselves by becoming familiar with different types of disabilities, special education procedures, and the corresponding terminology in both languages so that they can render quick and accurate interpretation.

Eligibility: Meeting Challenges

Interpreters must have the necessary skills to render interpretation in a prompt, correct, and impartial manner that is clearly conveyed. The number and function of participants in the meeting present interpreters with challenges in

understanding the subject matter, and in presentation, voice and visual accessibility. In eligibility meetings, interpreters interpret for a team of educational specialists that may include a school psychologist, the school principal, a special education coordinator, a speech therapist, an occupational therapist, a social worker, the student's teachers and parents and the student. Each specialist provides the results of assessment and observations orally and in writing in the form of reports that are thoroughly discussed at the eligibility meeting.

Understanding terminology and providing an equivalent term or a meaningful substitution in the target language are perhaps the most exacting aspects of interpreting at an eligibility meeting. Reports of assessments and observations presented by each specialist are detailed and also summarized. Specialists use technical terms from their field of expertise that are germane to the findings and discussion. Questions and discussion follow each presentation. Interpreters must comprehend all of this and render interpretation accurately, succinctly and quickly, using correct terminology in the target language, while remaining neutral and transparent.

The concept of special education is culturally rooted in American education and practice. There may be no equivalent special education concepts, models or constructs in the target language and culture. Thus, it behooves interpreters to study the meaning of the terminology in English, so they can render a meaningful interpretation or its equivalent meaningful substitution. Resources about terms are included in the Addendum: Resources in this article. Interpreters must study terminology and understand it thoroughly. Use of these terms is unavoidable, as they are integral to the protocols and categories of the assessments used. The interpreter should expect these terms to come up regularly at these meetings. Schools may or may not have glossaries of such terms but interpreters should inquire about accessing them and study them before providing services. Interpreters may also request a meeting with the school psychologist and/or the educational test administrator before the meeting, or request a copy (without the student's name) of the reports ahead of time to prepare for sight translations. Interpreters should routinely read articles about special education and disabilities and study resources such as A Parent's Guide to Special Education developed by the Virginia Department of Education. (Other states publish similar guides.) Interpreters must also be familiar with the use of clarification strategies.

Challenges of opinion and confidentiality

A difficulty that interpreters may encounter is rendering interpretation in an atmosphere that is contentious due to a lack of agreement among the parties. Parental consent is required for some procedures, but parents and school and medical staff may disagree on the type of disability the student suffers from, its impact on learning, whether the student is eligible for special education services, and, particularly, what the nature of those services should be. When discussions become heated, participants may speak faster, louder and without pause. They may interrupt each other and express anger and discontent in emotionally laden ways. Such situations are difficult for all involved, but especially for the interpreter. Since interpreters must remain neutral at all times and keep up with the pace, they need to be adept at using appropriate strategies such as switching between interpreting modes, requesting repetition or clarification, using voice, tone, and language register appropriately. Above all, rendering clear interpretation while at the same time remaining neutral is paramount. Interpreters may not take sides nor offer their opinion even when asked. They must know and use strategies that allow them to remain neutral such as briefly stating, "In my role as the interpreter, I must remain neutral and may not give my opinion."

Another difficult challenge interpreters encounter is when parents believe that the interpreter is their ally or advocate in the process. Some parents or other participants try to contact the interpreter after the eligibility meeting to further discuss the proceedings, but the interpreters must abide by confidentiality standards at all times and may not engage in any form of substantive discussion or communication outside of the presence of the school officials and the parents; they must be confident in exercising confidentiality and in refusing inappropriate engagement. Interpreters should refer the person to the original chair of the eligibility meeting or the school principal.

Legal Technicalities

Special education is guided by the Individuals with Disabilities Education Act (IDEA). This law ensures that students with a disability are provided with a Free Appropriate Public Education (FAPE) that is tailored to their individual needs. The IDEA is composed of six main elements: an Individualized Education Program (IEP), Free and Appropriate Public Education (FAPE), Least Restrictive

Environment (LRE), Appropriate Evaluation, Parent and Teacher Participation, and Procedural Safeguards. The section “Addendum: Resources” at the end of this article provides information on how to access the IDEA.

Procedural safeguards require previous parental notification of meetings and changes in program, consent, appropriate evaluations, delivery of services in the least restrictive environment, strict confidentiality and other legal safeguards for the protection and benefit of students. Interpreters should familiarize themselves with these safeguards. Although each state publishes its own procedural safeguards, all must meet the requirements of the IDEA. Therefore, the safeguards are similar from state to state. The reader may refer to the “Addendum: Resources” at the end of this article for more information.

Conclusion

In conclusion, school interpreting in special education eligibility meetings is a challenging area within the field of interpreting. Special education interpreting presents challenges similar to those encountered in court interpreting insofar as interpreters must have the knowledge and skills to cope with the challenges of abiding by interpreting standards, understanding special education laws and procedures, knowing unique special education terminology in English and in the target language, keeping up with the pace, managing conflict, and maintaining confidentiality. Interpreters must prepare by studying and participating in professional development. Resources for interpreters are provided here. Contrary to popular belief, school interpreting is not simply a “walk in the park.”

Addendum: Resources

Interpreters will find useful text and media resources in this addendum. The following publications are recommended as a starting point and they focus on special education in the state of Virginia. However, interpreters will find a wealth of resources for various other states as well. Special education law, processes, and terminology are very similar throughout the United States, although states are allowed limited authority to determine aspects of special education.

1. Definition of special education

- a. *A Parents’ Guide to Special Education* developed by the Virginia Department of Education will help interpreters understand special education. It describes the

law, processes, procedural safeguards, parental rights, helpful acronyms, abbreviations, and a glossary of special education terms. Available at:http://www.doe.virginia.gov/special_ed/parents/parents_guide.pdf

2. Special education law

- a. The Individuals with Disabilities Education Act (IDEA), its history, and categories are explained by the group, Understanding Special Education. Available at:<http://www.understandingspecialeducation.com/>
- b. The Center for Parent Information and Resources offers information in English and Spanish, on the Individuals with Disabilities Education Act that was enacted by Congress in 1975 as well as on recent amendments. <http://www.parentcenterhub.org/repository/idea/>
- c. Published by Understood.org, *How IDEA Protects You and Your Child* provides a clear explanation of the purpose and scope of the IDEA. Available at:<https://www.understood.org/en>

3. Special education process

The steps in the special education process are shown by the Virginia Department of Special Education in http://www.doe.virginia.gov/special_ed/

4. Special education terms

- a. An extensive list of *Special Terms and Definitions* is offered by UnderstandingSpecialEducation.com is available at:
<http://www.understandingspecialeducation.com/special-education-terms.html>
- b. This extensive Glossary includes terms translated from English to Spanish. Available at:
<http://vafamilysped.org/Resource/JWHaEa5BS76MKQof0dGZAw/Resource-osep-english-to-spanish-translation-glossary>
- c. Special Terms and Definitions commonly used in meetings at which Individual Education Programs (IEP) are developed explained by Understanding Special Education.com. Available at:
<http://www.understandingspecialeducation.com/special-education-terms.html>

5. Procedural safeguards.

- a. The Virginia Department of Education offers information on special education including Virginia Procedural Safeguards in English and in seven other languages. Available at:http://www.doe.virginia.gov/special_ed/regulations/state/procedural_safeguards/english_procedural_safeguards.pdf

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Virginia Department of Education Division of Special Education and Student Services. (2013). *Your Family's Special Education Rights*. Retrieved from http://www.doe.virginia.gov/special_ed/regulations/state/procedural_safeguards/english_procedural_safeguards.pdf

[Silvia González Koch is from Puerto Rico and is fluent in English and Spanish. She is a bilingual educator with over forty years of experience as a teacher, elementary school principal, and central education administrator, whose responsibilities

include coordination of language interpretation and translation in the Arlington (Virginia) Public Schools. She holds a B.S. and a M.Ed. degree in education from Radford University and Virginia Tech. Correspondence concerning this article should be addressed to silvia.koch@apsva.us.]

It's here! The ASTM Interpreting Standard Is Finally Here!

By Milena Calderari-Waldron

[This article was originally published in the ATA eVoice on 2/22/16. It has been revised by the author for publication in Proteus.]-Ed.

How many times have you been asked to do a trial on your own? Why is it that requests for team interpreting can appear to the court as self-serving and further proof of an interpreter's incompetence? Have you ever felt stumped when asked for a definition of interpreting? Are you frustrated by the race to the bottom? Ever wondered if there is something out there that lays down the minimal requirements allowing you to do a decent job? Fret no more. At the ATA1 Annual Conference held in San Diego in 2012, NAJIT2, NCIHC3, AIIC4, RID5 and ATA members partnered with government agencies, language companies, higher education institutions and even an interpreters' labor union6 to create a consensus document laying down the ground rules and definitions for spoken and signed language interpreting services. We don't need interpreting industries surveys7 to prove that interpreters render their services in more than one area of interpreting. Ultimately, interpreting is interpreting is interpreting. Accordingly, the drafting workgroup focused on what interpreters had in common and two and a half years later8, the ASTM F2089-15 Standard Practice for Language Interpreting9 was published.

Look around you. Most everything you see has an ASTM standard behind it. The American Society for Testing and Materials (ASTM) is a nonprofit organization that develops and publishes voluntary consensus technical standards for a wide range of materials, products, systems, and services. It was founded in 1898 by a group of scientists and engineers to address the frequent rail breaks affecting the fast-growing railroad industry. ASTM industry wide standards are developed within committees and subcommittees that address specific segments within the general subject area covered by the technical committee.

The first interpreting standard was drafted and published in 2001 by a subcommittee within the ASTM F15 Consumer Products Committee serving different product areas such as toys, playground equipment, candles, pool safety, etc. While the first ASTM interpreting standard guide was effective in providing information, it was not found to be a workable standard by many language service organizations and interpreters. In 2010, the ASTM F43 Committee on Language

Services and Products was created in response to global market demands. This now more focused ASTM F43 Committee coordinates with other organizations that have mutual interests, such as the International Standards Organization (ISO), to avoid duplication wherever possible. Below are the subcommittees that currently fall under the jurisdiction of ASTM F43 Committee:

F43.01 Language Interpreting

F43.02 Foreign Language Instruction

F43.03 Language Translation

F43.04 Language Testing

F43.05 Quality Assurance in Language Services

F43.90 Executive

F43.91 Terminology

F43.95 ISO/TC 232 Learning Services Outside Formal Education

F43.96 US TAG to ISO/TC 37 Terminology and other Language and Content Resources

Membership in most committees is voluntary and upon the member's own request. Members are classified as users (e.g., courts), producers (e.g., interpreters), and general interest members (e.g., academics and consultants). In order to meet the requirements of antitrust laws, producers must constitute less than 50% of every committee or subcommittee. Members can participate without a formal vote and their input is taken into account. In order to reach consensus, ASTM regulations require that at least 60% of the official voters return their ballot and there must be at least a 66% affirmative vote before it can proceed to a vote at the ASTM F43 Main Committee level. The requirements of a main committee ballot are again a minimum of a 60% return of the official voters and this time, a 90% affirmative vote to be a valid ballot. All negative votes must be addressed. The act of declaring a vote as “non-persuasive” must be voted on by the entire subcommittee and it must be voted on at the main committee level as well, if it was a main committee ballot. A negative vote that is found “persuasive” removes the proposed standard from the ballot. It is then up to the task group to decide whether they wish to

rework and re-ballot the standard. ASTM takes consensus building very seriously indeed!

While ASTM can't enforce compliance with its standards, the standards may become mandatory when referenced by a contract, corporation, or government. Passed in 1995, the National Technology Transfer and Advancement Act (NTTA)¹⁰, requires the federal government to use privately developed consensus standards whenever possible. Accordingly, many federal, state, and municipal governments have adopted ASTM standards by regulatory incorporation or reference.

So what can we do to enforce compliance with this ASTM standard? We can start by purchasing Standard Practice for Language Interpreting (ASTM F2089-15) for \$44.00, and familiarizing ourselves with it. You can now confidently say, "Your Honor, the ASTM standard makes it very clear that two interpreters shall be assigned per language for any simultaneous interpreting event lasting over one (1) hour." When the interpreter coordinator informs you they won't pay you at the standard court rate because it's just a deposition, not court interpreting, you can rebut that argument with, "The ASTM standard clearly states that depositions fall into the court interpreting category because testimony is given under oath and afforded the same weight as testimony given in the courtroom." And when the language company insists that immigration court proceedings do not need court certified/registered interpreters because they are just administrative hearings, you can boldly say "The ASTM standard defines quasi-judicial interpreting as interpreting of interviews and hearings in settings that may have a bearing on legal proceedings such as administrative hearings. Quasi-judicial proceedings affect fundamental individual rights and may give rise to an appeal at the state or federal level. For this reason, the interpreting of out-of-court hearings and interviews shall be of the same quality and accuracy as that rendered in court."

You see? It's not you, the greedy interpreter, making these outlandish demands anymore. It's ASTM, an industry wide consensus standard of practice that ensures quality and protects consumers. Say it out loud, add it to all the contracts, write it on your website, use it as your tag line:

complying/meeting/conforming to

ASTM F43 2089-15 Standard Practice for Language Interpreting

[Milena Calderari-Waldron, WA Court and DSHS Medical & Social Services Certified Spanish Interpreter. An Archaeology graduate from the University of

Paris I Pantheon-Sorbonne, she was a National Council for Scientific and Technological Research (CONICET) doctoral grant fellow for seven years and taught Argentine Archaeology at the University of Buenos Aires. She moved to the USA in 1992 where she worked as a bilingual legal assistant at a personal injury law firm. After a hiatus devoted to her family, she began working as a freelance interpreter in 2004. She is currently a shop steward and the Secretary of the freelancers' labor union Interpreters United Local 1671/AFSCME Council 28, a member of the DSHS/Language Testing and Certification Professional Development Committee, Adjunct Faculty for Ethics and Business Practices for Interpreters at the Bellevue Community College Translation and Interpretation Certificate Program, Advocacy Committee Chair of the ATA Chapter Northwest Translators and Interpreters Society, and a member of the ATA Interpreters Division Leadership Council. She is fluent in Spanish, English, French, and Italian and has an O-level in Latin.]

1 American Translators Association **<http://atanet.org>**

2 National Association of Judiciary Interpreters and Translators **<http://www.najit.org>**

3 National Council on Interpreting in Health Care **<http://www.ncihc.org>**

4 Association Internationale d'Interprètes de Conférences **<http://aiic.net>**

5 Registry of Interpreters for the Deaf **<http://rid.org>**

6 Interpreters United Local 1671/AFSCME Council 28 (WFSE)**<http://interpretersunited.wfse.org>**

7 ATA Interpreters Division Survey May 2015 **<http://www.ata-divisions.org/ID/wp-content/uploads/reports/Survey-ATA-ID-May-2015-Report-Board-Graphics-10222015.pdf>**

Common Sense Advisory. The Interpreting Marketplace. A Study of Interpreting in North America Commissioned by InterpretAmerica by Nataly Kelly, Robert G. Stewart, and Vijayalaxmi Hedge. June 2010, pp. 15.

ATA Translation and Interpreting Services Survey 2016, pp. 16.

8 Revised ASTM Standard Helps Ensure Positive Interpretation Experiences,
ASTM Press Release #9899 September 2,
2015. **<http://www.astmnewsroom.org/default.aspx?pageid=3812>**

9 American Society for Testing and
Materials **<http://www.astm.org/Standards/F2089.htm>**

10 National Technology Transfer and Advancement Act
(NTTAA) **<http://www2.epa.gov/laws-regulations/summary-national-technology-transfer-and-advancement-act>**

NAJIT's 37th Annual Conference will be held at the San Antonio Marriott Rivercenter



Our meeting provides a unique opportunity to connect with interpreters and translators who work in many settings. The conference provides insightful educational sessions catered to the profession, as well as, issues related to language access and national trends. It is fantastic opportunity to earn CEUs! Check for updated information on our [CEU page](#).



Don't miss out on the savings!

The early bird discount has been extended as CEU approvals for several states were only confirmed in recent days. Additionally, the number of Ethics hours during the main conference has been increased. To ensure all attendees have adequate time to review the changes and register, the deadline to receive the early bird discount has been extended until **April 15, 2016. This will be the one and only extension.**

Registration is open and online! Register [here](#). Check out the schedule of [educational sessions](#). **NAJIT members:** remember you receive a NAJIT discount too.

Your vote matters!

It is time to cast your proxy vote in the 2016 NAJIT Board of Directors election. The election is open to all “Active” and “Life” members. Please carefully review the candidates by clicking on the picture below. You will be able to access the electronic ballot from the candidates’ page. All votes must be received by May 11, 2016. The votes will be tallied and the results announced during the 2016 Annual Meeting on May 14, 2016 as part of the Educational Conference in San Antonio, TX.



The **NAJIT Scholarship Project** is a program of the National Association of Judiciary Interpreters and Translators open to students of translation and interpretation programs in North America, primarily the United States and Canada, to attend NAJIT's Educational Conference.

The NAJIT Board of Directors would like to thank all of the applicants for this year's award. The selection process is never an easy one as there are always many worthy candidates. We are happy to announce and congratulate the NAJIT Scholars for 2016:

Garrett Michaelson Bradford

Graduate Studies in Interpreting and Translation

University of Maryland, College Park

Yeni Dávila

Graduate Certificate in Spanish Translations and Interpretation Studies

University of Texas at San Antonio

Odilia Peña

Interpreting Program

Tulsa Community College

See you in San Antonio!

Ask an Interpreter

By Dan DeCoursey

[This new column aims to explore the lighter side of interpreting. Readers are encouraged to send offbeat questions about anything having to do with the T & I community.]



Question: Should we feel threatened by simultaneous interpreting equipment such as Sennheiser audio systems?

Answer: While U.S. companies (think Google Translate and Microsoft's [Skype Translator](#)) are looking to replace us with technology, European companies have been at the forefront of technological innovations to make us more productive. SDL Trados, a German company, is the market leader in computer-assisted translation software, and their strongest competitors, such as memoQ (Hungary), and Wordfast (based in Delaware but developed in France) are also from Europe. So it should be no surprise that one of the leading producers of interpreting equipment is also in Europe. Sennheiser is a family-owned company based in Germany that produced the world's first open headphones, which proved to be one of the best-selling headphones of all time, [with over 10 million units sold](#). The company [received an Emmy](#) for its wireless microphones; they even [used a rapper](#) to promote a recent line of headsets.

So they're German, they're hip, and they're not out to replace us. And they make our voices sound crystal clear, even Emmy worthy, to our listeners. What's not to like about Sennheiser? I view them as a collaborator whom I embrace wholeheartedly. But if Skype Translator were to win an Emmy, well, I would probably lose some sleep over that.

[Dan Decoursey is on the editorial staff of Proteus. See his full bio [here](#).]

Cracking the Code: What's That Word in Your Language?

By Cecilia Golumbeanu

[This column provides our readers with words and phrases to ponder....send us an email and let us know how you would say it in your language!]—Ed.

This month's Cracking the Code:



Here's a quote regarding the antitrust guides on intellectual property. Let's analyze the term 'naked':

“The guides state that restraints in intellectual-property licensing arrangements are evaluated under the rule of reason ‘[i]n the vast majority of cases...’ In other cases, such as **naked price fixing**, a restraint's likely effects are so "plainly anticompetitive" as to require challenge under the per se rule without an elaborate inquiry into the restraint's likely competitive effect, according to the guides.” (**Federal Trade Commission**)

Now ‘naked’ may not be your most usual term to use in court interpreting. Or the most unambiguous. But in ‘naked price fixing’, ‘naked restraint’, ‘naked exclusion’, ‘naked confession’ and ‘naked trust’, the legal use of ‘naked’ is indispensable and its meaning exact.

Black’s Law Dictionary (Sixth Edition) defines “naked” in this way: ‘Bare, wanting in necessary conditions; incomplete, as a naked contract (nudum pactum), i. e., a contract devoid of consideration, and therefore invalid; or, simple, unilateral, comprising but a single element, as a naked authority, i.e., one which is not coupled with any interest in the agent, but subsists for the benefit of the principal alone.’

What's the simplest way to render 'naked price fixing' in your target language?

^l*Cecilia Columbeanu is on the editorial staff of Proteus. See her full bio [here](#)*

How I Handled It: Keeping Tabs on our Colleagues as a Safety Net

By Hilda Shymanik

[This feature explores how individual interpreters confronted difficult situations in their respective jurisdictions. When in doubt about a particular solution, it is best to consult a supervisor or experienced interpreter in your jurisdiction. Also, please consider submitting responses to this article or describe a situation of your own and tell us how you handled it!]—Ed.



When I started freelancing, way before I knew about interpretation and translation, I didn't realize the kind of professionally isolated road that loomed ahead of me. Now after nearly twelve years of working independently, I realize it does not need to be that way.

It was the passing of a good friend and colleague that brought this subject to mind. I only learned this week of his demise, which had taken place a few weeks earlier. The saddest part was that he had not been discovered for a full week. It made me think about the fact that we are not really accountable to anyone given the circumstances in which we work as freelancers.

Being a freelancer or per diem interpreter offers many benefits such as independence, freedom, the opportunity to travel, visit family, and a sense of independence. However with all these perks come downsides as well, such as a sense of isolation and lack of that belonging to a group enjoyed by people with "regular" jobs. On a professional level, associations such as NAJIT or other local groups can be a great help and can give us this sense of being part of a community, but in our personal lives the sense of continuity may not be so easily achievable.

I moved away from the Chicagoland area a few years ago, and the number of single people in my new home, of New York City, is greater than I had ever previously witnessed. This population also seems to be growing in other places, including Mexico, where I grew up. There are a number of divorced, separated, widowed and single people in the circles I belong to, and I realize that many of us do not have good support networks. This becomes more common in places like New York, a city that is home to many who have moved from someplace else. This phenomenon creates an especially dangerous situation for the older generation. The kids are grown and in many instances out of the nest, the city, the state, the country.

A good friend mentioned in conversation once that when you get to a certain age,

friends and immediate and extended family members start to leave us behind, and at this stage in life, it is hard to form close meaningful relationships, because in order to do that, you need to skip a generation or two in most instances. That exchange gave me the following idea.

As we entered the new year, I started thinking of how easily we can make a difference in the lives of those around us under these particular circumstances. I refer specifically to people who are at risk due to age, health, and isolation. I try to keep in touch with all my friends and colleagues periodically, but what I am talking about here is more than that; I mean we can target persons in this situation and keep real tabs on them. I keep wondering whether I would have known something was wrong if I had had a daily text exchange with this particular friend who passed away. I now hear that he had been feeling lonely, and I personally noticed how quick he was to reply to any of my emails. In retrospect, I think he was eager for human contact, and I just wish I had known or been more thoughtful and aware of his state of mind. I am not saying that we can prevent every unfortunate event, just that we can truly make a difference in somebody's life.

There are a few simple things we can do to keep tabs on each other, young or not. I personally have been thinking of a person in the situation of my late friend and wondering how I can be closely in touch. I know from my own observations and readings that the declining years bring with them a number of problems for all of us, but I really believe that we can make a tremendous difference just by being in touch. A few simple steps come to mind.

- Identify a person who you know does not have family close by, who you have noticed is lonely or seems isolated and eager to talk.
 - Befriend him or her.
 - Invite him or her into your life with personal contact at regular intervals.
 - Most importantly, call, text or email every few days, or every day if the situation requires it.
 - Enjoy the honest and meaningful relationship this person will bring into your life.
- The solution may be simple, but as a person who has always had a liking and connection with older people, I have firsthand experience of the happiness you can bring to a person's life, and the satisfaction and happiness that this gives you in return. And at the end of the day, it can be a good thing to foster more solidarity among freelance interpreters in particular.

So that is my invitation and challenge to you in 2016 and every year!

[Hilda Shymanik is a certified Spanish-language interpreter and translator with more than eight years of experience in legal, medical, corporate, and non-profit settings in New York, New Jersey, Illinois and Wisconsin. She is an active member of NAJIT and other professional associations. Hilda is currently a staff interpreter for Essex County

Superior Court in New Jersey. Born in Chicago, Hilda lived for 20 years in Mexico and has travelled extensively around the world. She continuously looks for opportunities to promote and advance the interpreting profession.]

Caution with Translations!

By Catalina Natalini



We interpreters are so attuned to all things having to do with language, we generally cannot help but notice and read the signs and posters that provide information and advertise products. Nowadays, such posted material is often in two languages—most often English and Spanish, of course, although there are sometimes other combinations. These translations, often almost unbearably badly written, are often the product of the misconception that translating consists of just pairing English words with words in a foreign language.

A case point is the following notice, which I saw at a small shopping center located on Kirkwood Highway and Rt. 41 in Delaware:



The English text is followed by the “translation” into Spanish.

Native speakers of Spanish may find this translation amusing, confusing, even upsetting, but by no means will they find this translation accurate, or a true reflection of the intention of the original English text.

I will explain why:

No loitering has been translated as *do not laze around or waste your time*.

No soliciting has been translated as *sales are not accepted*.

No trespassing has been translated as *do not transfer*, or *do not let or lease*.

Some of the translations are simply erroneous, but others are ambiguous and can also lead to misunderstanding. For instance, in the last line the word “violators” in the phrase “Violators will be prosecuted” has been translated as “violadores.” Although the word “violador” can be used in the same way as the word “violator,” the more common meaning of the word “violador” is “rapist,” which can result in a certain amount of confusion for the Spanish-speaking reader. In addition, the word “corte” for “court” can have quite a number of different meanings. There are other terms such as “juzgado” or “tribunal” that more are more accurate in this context, and whose use would leave no room for confusion.

So the back translation reads as follows:

Do not laze around or waste your time

Sales are not accepted

Do not transfer or do not let or lease

Rapists/violators will be tried by the court/cut/royal court, etc..

After reading the back-translated version, the English reader might think that the person who wrote it cannot write good English due to the word choices. When Spanish native speakers read the translation, they think that the person who wrote it cannot write good Spanish because the meaning is ambiguous and the terminology has not been used correctly.

Either way, no native speaker is forgiving when his or her mother language is misused, especially in a public place.

I do not know where this translation originated but I could not stand by without saying how badly done it is, and how sad it is that in this day and age, people do not respect speakers of other languages enough to engage a professional translator to ensure that the translation is accurate.

As with interpreting, the process of translating is based on certain principles. They are the knowledge of languages, the knowledge of the context and culture, and last but not least, the knowledge of translation techniques. When one of these is missing, then you get a translation like this.

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Links of Interest

GLOSSARIES

Nahuatlismos i

[**http://algarabia.com/lengua/glosario-de-nahuatlismos-i/**](http://algarabia.com/lengua/glosario-de-nahuatlismos-i/)

Nahuatlismos ii

[**http://algarabia.com/lengua/glosario-de-nahuatlismos-ii/**](http://algarabia.com/lengua/glosario-de-nahuatlismos-ii/)

COURT INTERPRETING IN THE NEWS

Courts see rise in interpreting events

http://www.thesentinel.com/mont/index.php?option=com_k2&view=item&id=2519:courts-see-rise-in-language-interpreter-requests&Itemid=766

Student observations

[**http://www.wtva.com/news/Court_Interpreter_.html**](http://www.wtva.com/news/Court_Interpreter_.html)

Court interpreter class action lawsuit

[**http://www.lowellsun.com/breakingnews/ci_28996833/court-interpreters-take-state-court**](http://www.lowellsun.com/breakingnews/ci_28996833/court-interpreters-take-state-court)

Interpretation mistrial

[**http://www.dailyreportonline.com/id=1202748522450/Lost-in-Translation-A-Fair-Trial-Justices-Rule**](http://www.dailyreportonline.com/id=1202748522450/Lost-in-Translation-A-Fair-Trial-Justices-Rule)

Interpretation mistrial ruling

[**http://www.gasupreme.us/wp-content/uploads/2016/02/s15a1715.pdf**](http://www.gasupreme.us/wp-content/uploads/2016/02/s15a1715.pdf)

Sentencing reform

[**http://www.nytimes.com/2015/10/02/us/politics/senate-plan-to-ease-sentencing-laws.html?hp&action=click&pgtype=Homepage&module=second-column-region®ion=top-news&WT.nav=top-news**](http://www.nytimes.com/2015/10/02/us/politics/senate-plan-to-ease-sentencing-laws.html?hp&action=click&pgtype=Homepage&module=second-column-region®ion=top-news&WT.nav=top-news)

Settlement for man who was not given a sign language interpreter

<http://www.theindianalawyer.com/deaf-courtroom-spectator-gets-124500-settlement-from-state-of-indiana/PARAMS/article/37755>

LINGUISTICS

The Washington Post: Language trends and their global impact

<https://www.washingtonpost.com/news/worldviews/wp/2015/09/24/the-future-of-language/?postshare=2461443384361132>

The future of language

<http://wpo.st/7asc0>

Twenty-four words that mean totally different things now than they did pre-Internet

<https://www.washingtonpost.com/news/the-intersect/wp/2015/10/15/24-words-that-mean-totally-different-things-now-than-they-did-pre-internet/>

Difference between British English and American English

<http://www.grammarly.com/blog/2016/how-british-english-and-american-english-are-different/>

Who drives linguistic change

http://www.grammarly.com/blog/2016/who-drives-linguistic-change/?utm_campaign=Blog_Augment_1&utm_source=Facebook_org&utm_medium=social&utm_content=link_post

Why is English so weirdly different from all other languages

https://aeon.co/essays/why-is-english-so-weirdly-different-from-other-languages?_ts=1447849074

The effect of your first language

<http://www.sciencealert.com/the-first-language-you-learn-affects-how-you-hear-all-the-others-study-finds>

Census: Languages spoken

<https://www.census.gov/newsroom/press-releases/2015/cb15-185.html>

IMMIGRATION INTERPRETING

Lesson to all interpreters

<https://rpstranslations.wordpress.com/2015/10/12/a-lesson-to-all-interpreters/>

Backlog at immigration court

<http://www.scpr.org/programs/take-two/2015/10/09/44770/backlog-at-immigration-courts-could-grow-with-a-pa/>

Desperately-needed interpreters in short supply

<http://thinkprogress.org/immigration/2015/10/08/3710050/interpreters-crucial-immigrants/>

Immigration courts could lose a third of their interpreters

<http://www.buzzfeed.com/davidnoriega/immigration-courts-could-lose-a-third-of-their-interpreters#.yabqQk9KwY>

SPANISH NEWS

Disputa laboral

http://www.laopinion.com/2015/10/07/disputa-laboral-de-interpretes-amenaza-con-agravar-demoras-en-tribunales-de-inmigracion/?utm_source=mailto&utm_campaign=Addthisbuttons&utm_medium=Social#.VhXR7de7WFB.mailto

Ten accidental Spanish curse words <http://theflama.com/10-accidental-spanish-curse-words>

For Better or Verse



The Exclamation Point!

**With today's electronic
communication,
E-mail, tweet and other
iteration,
Quite clearly there's no
moderation!
We have a need for an
explanation
As to why we have no
hesitation,
Marking phrases with
exclamation!!
We can each resort to
imagination,
And with some deeper
contemplation
Determine the obvious
correlation
'Twixt enthusiasm and
punctuation!!!
Yet, it has become an
affectation
To write with so much
admiration
And eschew a need for
meditation!!!!**

**So, let us give up this
infatuation,
Intensifying words of
acclamation
To the point of undue
exaggeration!!!!
As three is the lifetime
allocation,
We ought not feel any
jubilation
At finding !!!!! at our
workstation!!!!!!**

Douglas Hal Sillers 12-10-15

[Hal Sillers is a MN State and federally certified interpreter of Spanish and frequent contributor to this column. Hal is also the Staff Interpreter for the MN 8th Judicial District.]

Notable Quotables

“Language is the road map of a culture. It tells you where its people come from and where they are going.” –Rita Mae Brown

The Last Laugh

<https://www.youtube.com/watch?v=TttEeCk1Mw8>

The ability to speak many languages is notable, but the ability to keep your mouth shut in any language is priceless.
