



CULTURAL VARIATIONS IN ARABIC

Nabil M. Abdel-Al

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Both interpretation and translation convey a message from one language to another. The main differences reside in the speed of transmission and the techniques involved in each. Simultaneous interpretation, a quasi-instantaneous rendition into the other language, entails more intricacies than a spectator may imagine, and the challenges facing an interpreter stay with him throughout his professional career. Salient among these are cultural disparities and the clash of civilizations.

Speakers come from a wide range of places with distinct cultural specificities and linguistic orientations. Place will always leave an indelible imprint on its dwellers, even if an entire population is wiped out, cleansed or removed from its native homeland. Like culture, every language has its own peculiarities, word structure and mystique.

When speaking, both speakers and interpreters have a mindset focused on their own cultural, national, linguistic background. Interpreters transform speeches into a language which usually bears little conceptual commonality to their own. This can be disadvantageous to the message, unfair to the messenger, or unjust to the output of the interpreter,

especially when speed is frantic and the accent is thick, all of which can render the interpretation problematic even as it is supposed to elucidate recondite units of the language. Spoken language is by necessity adjusted to the politics of the situation and tuned in with “the mysterious sense of rapport, of identity with the ground. You can extract the essence of a place once you know it.” (Durrell, 160) Ideally, an authentic rendition of speech into the target language requires knowledge of where the speaker is coming from, disentanglement of jargon, familiarity with the geographical background, subtle innuendos, political understatement, and so on.

The Arabic language abounds in honorific terms. A typical speech may start: *يلا عمل او ومسلا باح صا قداغسل او* which literally translates into “Excellencies, Highnesses and Eminences.” This may be safely and simply interpreted as “Excellencies or ladies and gentlemen” at no major risk of altered sense or loss of meaning. Another vivid example is normally found on the heading of official state letters: *قداغسل باح اص بي هملا مي عزلا و مهلملا دى اوللا* which literally translates into “His Excellency, inspired commander and presti-

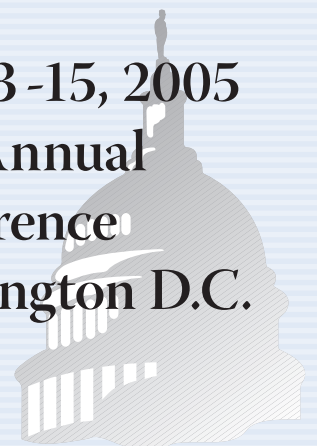
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NAJIT Celebrates



May 13 -15, 2005 26th Annual Conference Washington D.C.

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MESSAGE FROM THE CHAIR

September 2004 was a remarkable month for NAJIT outreach. All five members of the board, as well as Past Chair Cristina Helmerichs D. and *Proteus* Editor Nancy Festinger, attended a major conference arranged by Department of Justice in Washington, D.C. (See p. 12 for more information.)

Past Chair Cristina Helmerichs arranged for NAJIT, working with ATA, HITA, AATIA and NAJIT, to exhibit at the U.S. Hispanic Chamber of Commerce's 25th convention in Austin. Special thanks to Mary Esther Diaz for her superb representation of our profession, and to Cristina for thinking of the idea and carrying through.

The NAJIT chair and executive director both presented at the first-ever statewide interpreters conference in California; Director Lois Feuerle also attended. The California Judicial Council, which arranged the program for 400 attendees (see p. 13 for report), may make this an annual event. We received much positive comment about NAJIT's involvement.

Our executive director exhibited for NAJIT at National Council of Metropolitan Courts in Seattle, Washington. Sixty judges from major metropolitan areas participated. This was a great opportunity to make contacts and promote awareness about interpreting issues among the judiciary. We received an especially positive response to our position paper, "Direct Speech in Legal Settings."

NAJIT and SSTI directors took an active part in the ATA conference in Toronto, Ontario. Cristina Helmerichs D. and Lois Feuerle also travel to Europe for significant conferences on judiciary interpreting in November.

The board of directors has been very active making appointments. The board has appointed Teresa Salazar and Gladys Segal as co-chairs of the 2005 Conference Committee, and Karen Borgenheimer as chair of the Education Committee.

Vanessa Ieraci has accepted the position of chair of the Student Outreach Program, a project of the NAJIT Education Committee. If you know of a local T&I program at a community college or other educational institution, please send the contact information to studentoutreach@najit.org. As you know, this is a project dear to my heart! We need everyone's help to reach as many students as possible.

The board of directors has appointed Joyce García as chair of the 2005 Nominating Committee and D. Hal Sillers as chair of the Bylaws Committee.

The board of directors has made several appointments to the SSTI Board, and the SSTI board has chosen new officers: President Dr. Peter Lindquist, Vice-President Dr. Lois Feuerle, Treasurer Michael Piper and Secretary Melinda González-Hibner. Carmen Barros has stepped off the board, while life member Janis Palma remains as a director.

The board of directors has appointed Rosemary Dann, Esq., as chair of the Commission on Concerns Raised at the 2004 annual meeting, and Laura Garcia-Hein, Esq., Jeck-Jenard Navarrete, Esq., and Fausto Sabatino as members of the commission.

Congratulations to NAJIT directors Janet Bonet and Judith Kenigson Kristy for their involvement in the successful NATI and TAPIT conferences.

With the falling leaves comes time to renew NAJIT membership for the coming year. We count on all our members to help us carry forward the significant programs now under way. I look forward to working with you all in 2005.

Alexander Raïnof, Ph.D.
Chair, Board of Directors

NAJIT occasionally makes its member information available to organizations or persons offering information, products, or services of potential interest to members. Each decision is carefully reviewed and authorization is given with discretion. If you do not wish to have your contact information given out for this purpose, please let headquarters know and we will adjust our records accordingly.

THE MANY SIDES OF MONEY LAUNDERING

Sara García-Rangel

Everybody needs money, and most people get it the hard way: they earn it. Of course, illegal ventures require money, too — to obtain burglary tools, pay a hit man, purchase weapons or plan the getaway. Small amounts of illicit money have always found their way into the economy undetected, but even individuals with legitimately earned funds sometimes seek to evade taxation, and this act may itself constitute money laundering. Money laundering is the process by which illegally obtained funds are introduced into a legitimate economy for legitimate or illegitimate purposes. The fundamental objective of the anti-money laundering effort has been to ensure that criminal misuse of the financial system is detected and defeated because it corrupts not only institutions but also society at large. In addition, money laundering harms the economy and represents lost tax revenues. In the 1970's, with the proliferation of drug trafficking and the enormous sums it generated, law enforcement took a "proceeds approach" to crime control, seeking to deter criminal activity by eliminating the profits so that criminals would no longer benefit.

In a typical money laundering operation, experts recognize three phases. First, the "placement" stage, is when the moneys are deposited as a way to dispose of bulk cash profits. This generally occurs close to the area where the funds were generated. The second phase is called "layering" and involves the conversion or movement of funds to distance them from their source. For example, money is wired to various bank accounts or corporations around the globe, without leaving a trail as to the source or destination. The third phase, "integration," is when laundered funds re-enter the legitimate economy and are used to purchase goods or for investments. The launderer may choose to invest in real estate, expensive cars, jewelry or business enterprises, either locally or in other places with stable economies and investment opportunities.

A distinction can be made between incoming and outgoing money laundering. In the former, proceeds from overseas are laundered in the country in question, while in the latter, proceeds obtained nationally are sent overseas for laundering. If the proceeds of the illicit activity are laundered in the same country, this is referred to as internal money laundering.

In today's global economy, money laundering is prosecuted in many nations, and has become a growing problem at the interna-

tional level. After the events of September 11, money laundering was seen as a threat to national security because money conversion processes can be used to finance terrorism.

In 1989, in response to international concern about the movement of illegal money, a group of policy experts in the legal, financial, and law enforcement fields from many governments formed the Financial Action Task Force (FATF), a Paris-based multi-disciplinary intergovernmental organization sponsored by the Office for Economic Cooperation and Development. The Task Force, which currently has 34 member countries, has issued

40 recommendations that constitute the principal

standard in the global anti-money laundering campaign. Recently its mission was expanded and its expertise has been directed to a worldwide effort to combat terrorism financing. Eight

special recommendations have been issued to deny terrorists and their supporters

access to the international financing system. In addition, the World Bank and the International Monetary Fund now have policies towards borrower countries that affect their eligibility to receive funds,

based on their demonstrated ability and willingness to implement task force recommendations. In the United States, in 1990 the

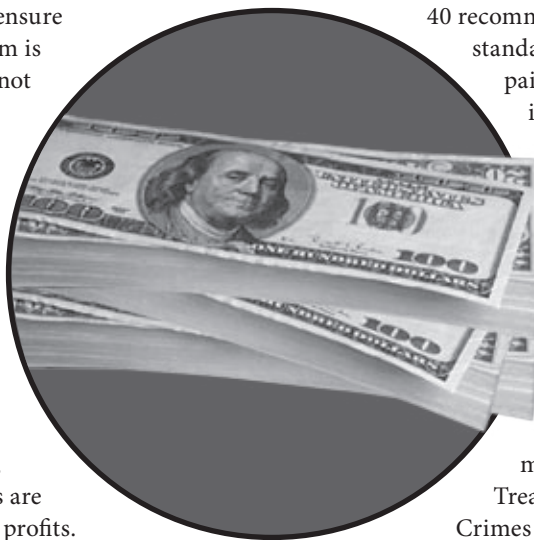
Treasury Department established the Financial Crimes Enforcement Network (FinCEN) to collate,

analyze and disseminate information on financial crimes,

especially money laundering of drug proceeds. Many countries have local counterparts to FinCEN. Depending on the country, its regulations and resources, these organizations can be quite effective.

Mutual legal assistance treaties provide access to documents and witnesses for use in official investigations and prosecutions. The United Nations Office on Drugs and Crime together with the Inter-American Drug Control Commission have launched an innovative training program to help prosecutors, investigators and judges in Latin America crack complex money laundering cases within their legal systems. And the United States Treasury Department recently created a new office of Terrorism and Financial Intelligence to coordinate efforts with the FBI, the Office of Foreign Assets Control (which enforces economic sanctions), the FinCEN, and the IRS, which enforces tax provisions.

The leading methods to combat money laundering are the prosecution of money launderers, laws and regulations which hamper the introduction of illicit money into the legitimate economy, and



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CULTURAL VARIATIONS IN ARABIC *continued from front page*

gious leader.” Established U.N. practice is to reduce all this to “H.E. or Mr.” Cutting is a must, especially when the text is peppered with allusions that lend themselves to multiple interpretations. We have to do away with the verbiage that may be natural to the source language but considered unnecessary excess in the target language.

Arabic is a flowery and polysemous language teeming with figurative expressions and synonyms. Its vast number of cognates and derivatives both connote and denote. For the idiomatic expression, “one who carries coal to Newcastle,” I am aware of five equivalents in Arabic.

دغلل هقف هباتك تمدمق يف يبلعثلا

كرتل خراا يلى كسمل بالاجك - 1

دونهل دالب يلى دوعلا و - 2

رضخالا رحبلا يلى زبخلا و - 3

رحه يلى رحمتلا بالاجك - 4

نيياقاسلا قراح يف قيلم عيبي - 5

The first variant is “one who carries musk to the land of the Turks.” The second is “one who carries incense to the land of India.” The third is “one who carries bread to the green sea.” The fourth is “one who carries dates to Hagger” (a city in Iraq brimming with palm trees). The fifth variant is a vernacular Egyptian proverb, “one who sells water on the side street near the water-vendors.”

Each of these places has abundant supply of the product. The imagery in each variant will not be effectively conveyed by a literal interpretation, which would only puzzle a listener whose culture is alien to the cultural associations of Arabic. Whoever does not know that Hagger is rich with dates will not make heads or tails of the expression. The interpreter himself may be stymied if the speaker employs a variant with which the interpreter is unfamiliar. Thus, a dilemma in one language inevitably leads to another in the other language. There is no “one-size-fits-all” solution because linguistic distinctions are endlessly intractable.

Because Arabic is profusely rich, bombastic and poetic, an educated Arab speaker tends, probably subconsciously, to use flowery terminology in the form of “hippopomonstrosesquipedalianisms” corresponding to the sophisticated constructs of his mother tongue. These linguistic/cultural variations compound the difficulties which an interpreter has to unravel instantaneously, but one has to take the risk. In trying to render a startling locution made by a creative speaker, if an interpreter employs an inapposite phrase, he is good for nothing, an imposter. As the translator notes in his preface to St. Augustine’s *On Christian Doctrine*,

“As for the translation itself, anyone familiar with the problems involved in rendering a work of this kind into English will understand that the translator can only hope that if St. Augustine were able to read his work, he would not find occasion on every page to refer to Martial’s epigram to Fidentius, in slightly altered form:

*The work you recite is mine, O translator
But when you recite it badly, it begins to be yours.*”

Despite the premise that to function successfully, interpreters need specialized knowledge, nobody majors in local dialects or cultural variations. There is no such thing as uniform terminology: in no international or regional gathering can all participants speak their mother tongue, let alone their local dialects, unless such are part of the official linguistic configuration of the meeting. The norm is that either speakers or interpreters address an audience using an acquired language, basically a language of education and edification, which necessarily becomes the language of communication. The listener attempts to grasp the intent of the interpretation and, in turn, apply his own to it.

Local dialects, words and expressions differing from one area to the other pose many challenges to the Arabic interpreter. Diverse slangy peculiarities pop up despite speakers’ best efforts to suppress them and cleave to classical Arabic. Local usages force their way through recognizably standard Arabic, further complicating our work.

The following are some examples culled from parts of Egypt and other Arab countries.

In some outlying villages in Egypt, they use the imperative

بابل دس , which simply means “shut the door,” standard usage in Algeria and probably in Tunisia and Morocco. In other Egyptian villages, the same expression denotes a bad omen, a house in a state of gloomy delapidation

Local usages force their way through standard practice.

because the owner or main bread-winner has passed away. Egypt’s geographical proximity to North African countries does not make it closer linguistically, culturally or socially to those countries; indeed it is closer to Syria, Jordan, Lebanon and Iraq. Yet Egypt shares a common history and civilization with all. The destinies of Arabic-speaking countries intersect, partly because they speak the same language, albeit with sharp distinctions.

Libyans use expressions entirely peculiar to them. For instance, they say: قبالح ماع يف which literally translates into “in the year of fenugreek.” The Egyptian equivalent to that is شرمشملا يف or “in the apricot.” Neither of these two variants means anything if interpreted literally. A non-Libyan or non-Egyptian Arab would be baffled, but these expressions are the equivalent of “in your dreams” or “when pigs fly.” The Libyan expression is derived from the fact that they do not grow fenugreek. Thus, the connotation is “if the impossible happens.”

In Tunisia, they use the word نيولت for “training.” It is taken from the French *formation*. They apply the word نوصبرتملا (to non-Tunisians this word means “vigilante”) to “specialized post-graduates or trainees.” Tunisians also use the word ءاضرف (“space”) for field, domain, place, sphere. For instance, they say ملعلا ءاضرف (field of science). They use the word صربي meaning “to fart,” whereas in Egypt and other places, it just means “to look.” In Lebanon, however, the word means “to look through the peep-hole.” The duplicate form صربصبي in Egypt means “to ogle,” to look in a flirtatious way, with unusual attention or desire.

In Morocco, the term نزخمل (storeroom) is used to mean security and everything relating to it, such as the civil and military police. The origin of this usage is unknown. For non-Moroccans,

the Moroccan sense attached to this word is extremely strange. In Morocco, the word *ساسح* (*sensitive*) is used to mean “gay.” Moroccans call a referendum process: *لسلسم* *ءاتفتسال* — literally, “soap opera.” They do not intend to make light of the referendum process, but they do not translate the word “process” *قيلم* as used by other Arabs.

In Iraq as in other Arab countries, they use the term *نيوانع* for addresses and titles. But contrary to other Arabs, in political discourse, Iraqis apply this word to frameworks, cadres, state/government officials. It may also refer to landmarks.

The same lexical word takes different forms in different places, with pronunciations and spellings unrelated to each other or to the linguistic root. The classical common denominator for the word *قده* is known to everybody. But in Egypt, they call it *تطق*; in Iraq *قونب*; in Lebanon *سب* *يني* and in Morocco *شم*. The expression “reference point” *قيلم* *قيلم* *قيلم* is used by some as “mandate.”

Aurally dissonant terms conveying the same concept give rise to vocabulary collisions. However, corrigible misunderstanding is better by far than an absence of understanding. If we look strictly at the meaning of the term, we might be led in a different direction.

A viable way out of interpretation dilemmas is to provide speeches for interpreters well in advance so that abstruse points can be clarified beforehand. Frequency of documentation availability depends on the nature of the meeting. At the United Nations, in informal meetings and interactive dialogue, speeches are rarely furnished because participants normally speak off the cuff. But in formal settings such as the Security Council and the General Assembly, over 90% of the speeches are made available to interpreters, and the speaker’s cultural persuasion, ethnic background, political imperatives, and level of literacy thereby become apparent.

Statements delivered in international fora usually revolve around the interpretation of texts. This process bears directly on the meaning of words, the significance of interpretations, and a desire to mold the audience’s understanding in some direction. The interpreter’s desire, on the other hand, is to interpret the speaker’s language well and truly: inevitably, the interpretation of an interpretation. ▲

[The author, an Arabic interpreter at the United Nations, holds a doctorate in English literature. This is an edited version of a paper read at New York University’s Second International Translation Conference, June 2004.]

NOTES

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Robertson, Jr. Indianapolis: Bobbs-Merrill Company, Inc., 1980.

MONEY LAUNDERING *continued from page 3*

the use of forfeiture to deprive offenders of unlawful earnings. Efforts to prevent money laundering have been a cornerstone of the global war against crime since the late 1980’s.

In this country, money laundering was initially prosecuted as part of a specific underlying offense, but as a result of reporting requirements imposed in 1970 by the Bank Secrecy Act, prosecutions were later based on failure to file a required report, or avoidance of the reporting requirement by structuring transactions so as not to exceed threshold amounts, or filing fraudulent reports. For cash amounts over \$10,000 either deposited in or withdrawn from financial institutions, the requisite report is known as a CTR (currency transaction report). The CMIR (currency and monetary instrument report) is a report required for imports or exports of more than \$5,000 in cash or monetary instruments. For sales of goods or services paid in cash, an 8300 report has to be filed. (This applies to sale of high-value items such as jewelry, luxury cars, real estate, and the like, as well as to payments for services such as those provided by attorneys.) On cash into or out of casinos, a CTRC (currency transaction report for casinos) has to be filed.

When the law required banks to file reports for cash amounts exceeding certain limits, offenders turned to other non-banking financial institutions. When regulations were extended to cover those institutions, offenders focused on non-financial business sectors and professions as channels for moving funds or concealing links to their activities. They have even used so-called human piggy banks to transfer money from one country to another.

Most money laundering laws, including U.S. statutes, list predicate crimes or “specified unlawful activities” whose proceeds, if used in a transaction, can lead to prosecution for money laundering. The list of specified unlawful activities in 18 USC §1956 contains approximately 200 offenses. A crime under this statute has three essential elements: it requires that a transaction be conducted with property representing proceeds from a specified unlawful activity; that the perpetrator know the property is the proceeds of some form of unlawful activity; and that the transaction be designed to conceal or disguise the nature, location, source, ownership, or control of the proceeds.

When large amounts of money are seized in connection with an investigation, assets may be frozen and later forfeited. Forfeiture may also be ordered of properties that can be traced to crime proceeds. Those properties or assets (for example, a house or apartment used to store drugs, or a car used to transport them) may later be permanently confiscated via legal action instituted by a government authority for failure to comply with the law or because the property was used in furtherance of criminal activity.

Methods used to launder money are as creative as human ingenuity. Among the detected methods, trends and techniques are:

• Bank Transactions

Banks are required to have anti-money laundering programs and customer identification procedures, and to appoint an officer to maintain current policies. The European Union allows banks that are regulated in a home nation to operate in any other EU nation, a practice known as “pass-porting,” with the proviso that they conform to money laundering controls and all the rules of the host nation.

• Money Services Businesses

This term is used to refer to money remittance companies; check cashers; issuers, sellers and redeemers of money orders and travelers’ checks; currency exchangers; and other companies that constitute a



special category of financial institution and are important in money laundering and terrorism financing. These businesses can be active money launderers; assist customers in laundering money; or be used without their knowledge. They are cash businesses, but the money they handle is not taxable since they only act as conduits for money transfers. (This is in contrast with other businesses where small cash transactions are conducted, such as grocery stores, flea markets, gas stations, etc. where the cash is part of their gross income, and they must pay taxes on that income.) There are 15,000 money services businesses registered in the United States and its territories, as listed on the FinCen website.

- **Structuring** (also known as “smurfing”)

This term refers to the practice whereby several individuals deposit cash or purchase money orders at various institutions below reporting thresholds.

- **Non-financial Professions**

The practice of using lawyers, notaries, accountants, real estate brokers or insurance agents as covers for illicit movement of funds.

- **Credit Cards**

The practice of taking cash out from a card or allowing credit to be converted to cash elsewhere using ATM machines.

- **Informal Money or Value Transfer Systems**

Funds transfer system provided through the black market peso exchange and other systems (see www.pbs.org/wgbh/pages/frontline).

- **Bulk Cash Smuggling**

The practice of concealing cash or another monetary instrument and smuggling it elsewhere, to evade currency reporting requirements. A variant is the exportation of cash without reporting it and the later importation of the same cash, this time with a currency report.

- **Correspondent Accounts**

An account that one financial institution establishes in another financial institution for the purpose of receiving deposits, making payments, or handling transactions related to the institution (defined in Section 311 of the U.S.A. Patriot Act of 2001).

- **Nominees**

Nominees are individuals who may not own shares, cash or monetary instruments, but in whose name a transaction is registered. The transactions, usually conducted through banks, financial institutions or offshore financial accounts by the offender’s relatives, friends or associates, do not attract attention, and conceal the source and ownership of the funds.

- **Front Companies**

In front companies, illegal profits are co-mingled with revenues from legitimately derived funds to disguise the source of criminally obtained money. Some front companies offer products at prices below manufacturing costs, which gives them a competitive advantage over legitimate firms, adversely affecting the private business sector. In the United States, for instance, organized crime has used pizza parlors to camouflage proceeds from heroin trafficking.

- **Shell Companies**

Shell companies are incorporated but do not have actual offices or commercial purpose and are used to conceal the ownership of the company’s business and assets.

- **Sellers of High-value Items**, such as luxury cars, jewelry, gold or diamonds are also used for money laundering because property can be shipped to a foreign country and made to appear as a legitimate business transaction.

- **Securities Industry**

The National Association of Securities Dealers, along with other self-regulatory organizations such as the New York Stock Exchange and the commodities Futures Trading Commission, have issued regulations in conformity with the U.S.A. Patriot Act of 2001 requiring anti-money laundering programs, such as those that banks and depository institutions have had since April 1996. These organizations can also impose penalties. Experts say that systems where representatives are compensated by commission, in particular those that include expensive trips and prizes, invite willful blindness to their clients’ illegal source of money. Willful blindness is a concept defined by the U.S. courts as the “deliberate avoidance of knowledge of the facts,” and is deemed equivalent to actual knowledge of the illicit source.

- **Misuse of Non-Profit Organizations**

An NPO can be used as a cover to move funds, or to raise funds for terrorist groups by requesting donations, selling publications, or charging fees for cultural or social events. Individual donors may not even be aware that their contributions go to terrorist groups.

And the list could go on. Every year the FATF publishes cases reported by member countries on their website, www.fatf.gafi.org.

Translators and interpreters in the United States judicial system provide language services in the investigation and prosecution of money laundering cases, among others. For instance, when there are court-authorized wiretaps of foreign language conversations, interpreters may work in the monitoring room during surveillance, or later in preparing the tape transcripts, or as expert witnesses for either the prosecutor or defense counsel. They may also be called upon to translate seized transaction records or documentation from other countries to be used in judicial matters. Some of the code words used (in Spanish or other languages) to refer to money are “tickets,” “invitations” or other words referring to small pieces of paper. Amounts and names often appear in coded language as well. Specific code words used in drug transactions may lead prosecutors to add money laundering charges to the case. Later, if a money-laundering case proceeds to trial, interpreters may be needed for witnesses or the defendants. On these occasions, familiarity with the terms and concepts presented here will help us do a better job. ▲

[The author is supervisory interpreter at the U.S. District Court of New Jersey, and a consultant to the Administrative Office of the Courts of New Jersey. She also is an instructor in the New York University certificate program in court interpreting, Spanish/English. This is an edited version of a paper read at NYU’s Second International Translation Conference, June 2004.]

STATE ROUND-UP: TENNESSEE

IT PAYS TO STAND TOGETHER

Judith Kenigson Kristy

From September 2003 to July 2004 state court interpreters in Tennessee were on the horns of a dilemma. A new proposal for payment guidelines had been issued, containing heavy fee cuts for interpreters. Interpreters had the option of curtailing their services to the courts or resigning themselves to a lower standard of pay. But the Tennessee Association of Professional Interpreters and Translators (TAPIT) rejected both options and geared up to fight for better fees and working conditions. With great success! Read on.

On September 8, 2003, the Tennessee Supreme Court proposed changes in Rule 13, which governs legal services provided to indigent defendants, including payment of interpreters under “expenses incident to representation.” Interpreters were shocked to discover that lower pay scales for their services were proposed in several areas. Travel pay was to be cut from the normal hourly fee recommended in Rule 42 (a minimum of \$50, \$40 and \$30 for certified, registered and non-credentialed interpreters, respectively) to half those amounts.

The new provisions lacked any guaranteed minimum and required interpreters to bill in tenth-of-an-hour segments, with payment only for the time spent interpreting. Under this scenario, while an interpreter might spend considerable time driving to a local court, interpreting, then driving home, if the actual time spent in court was only ten minutes, the interpreter would earn between six and ten dollars. Some types of language work, such as transcription/translation and review of audio- or video-recorded material, were not included in the proposal, leaving the AOC free to decide on fees—and they chose to compensate tape transcription at only half the customary hourly rate, plus a per-word fee for only the translated portions. Judges, clerks, attorneys and interpreters were bogged down in their attempts to obtain and understand the new billing forms and requirements. Court interpreters were reluctant to work under such conditions.

When the Supreme Court solicited comments on the new provisions, TAPIT took immediate action. Members wrote letters to the Supreme Court voicing their opposition to pay cuts and caps. TAPIT co-chairs wrote official letters from the association, explaining in detail TAPIT’s position regarding Rule 13. The letters were e-mailed to members and published in the association newsletter, and a template letter was provided via e-mail and the website so that members and interested parties could adapt and use it to protest the proposal. By November 2003, members had sent 29 letters to the Supreme Court. TAPIT’s voice added to the outcry from attorneys, experts and investigators, all of whom were similarly affected by the proposed changes.

The deadline for comments was extended and oral arguments before the Supreme Court were scheduled. With this additional window of opportunity, TAPIT wrote another letter, outlining the skills and training required of court interpreters, and reviewing interpreter compensation in other states and settings. We also conducted a survey of court interpreter pay and working conditions that was circulated among all Tennessee registered and certified interpreters. Armed with survey data from 48 interpreters, I presented TAPIT’s arguments before the five Tennessee Supreme Court Justices in February of 2004.

In June of 2004, the much-awaited final version of Rule 13 was issued. Effective July 1, 2004, travel pay was restored to the full hourly rate, a two-hour minimum fee was guaranteed for interpreting services in and out of court, and compensation for transcription/translation/review of recorded materials was restored to the full hourly rate. In addition, interpreters were permitted to charge for reasonable time spent preparing for complex hearings or trials. Mileage expenses for local travel to attorneys’ offices, jails and other locations (excepting courts) were billable. [For the full text, go to www.tsc.state.tn.us and search for Rule 13, section 4(d)]. Although we didn’t get everything we argued for, the concessions obtained were more than worth the effort. Indeed, efforts like these are just what professional associations are for—to be a strong and united voice of advocacy for language professionals throughout the region in our quest for high standards and improved recognition in our community. (See TAPIT’s Mission Statement on the TAPIT website: www.tapit.org.)

Interpreters don’t have to “take it or leave it,” even if the Supreme Court is the challenger. And this is not the end of the story. The new Rule 13, while a vast improvement, still does not cover cancellation fees, an important omission. The billing system is still tedious and overwhelming for most Tennessee state court interpreters. But we learned to stand together and work toward more improvements in the coming years. TAPIT truly made its voice heard for the benefit of all Tennessee interpreters. That can only be good news for interpreters in other states.

TAPIT’s letters to the Supreme Court will be soon be posted on the TAPIT website for anyone who missed them. Copies of individual letters sent by members are available for viewing on the Tennessee Administrative Office of the Courts website. ▲

[The author, a federal and state certified Spanish interpreter, serves as NAJIT treasurer and co-chair of TAPIT. This is an edited version of an article that first appeared in the TAPIT Times.]

NAJIT NEWS

ANNOUNCEMENTS

NOTICE OF ANNUAL MEETING AND CALL FOR NOMINATIONS

The board of directors hereby announces that the annual meeting of the association will be held on Saturday, May 14, 2005, at the Hotel Washington in Washington, D.C. The terms of directors Isabel Framer and Judith Kenigson Kristy are expiring. Two directors will be elected for two-year terms. Members are invited to recommend potential candidates to the Nominating Committee, of which Joyce L. García is chair. Email: nominations@najit.org.

The NAJIT bylaws, Article IV, Section II – Eligibility, read as follows:

“Any active member who attains two years of continuous membership as an active member in good standing as of the return date specified on the ‘Call for Nominations’ shall be eligible for nomination to the board of directors.” **Tuesday, February 1, 2005** has been established as the return date for all nominations.

Members may nominate themselves or may be nominated by fellow members. Please note, however, that the Nominating Committee has the responsibility of proposing the names of candidates for the election to the members, taking into account the need to ensure, to the extent possible, a balanced slate as far as language, geographical location and professional activity are concerned. Only active members who meet the criteria above — who have been active members continuously in good standing **since February 1, 2003** — may be nominated to the board of directors. Members uncertain as to their status may verify the facts with headquarters.

Members of NAJIT as of the record date of **Friday, April 1, 2005**, will be eligible to vote by mail ballot or in person in this election. The board of directors welcomes the interest and participation of all members in the governance of the association.

BYLAWS AMENDMENTS

The Board of Directors recommends to the NAJIT membership that our bylaws be amended as follows:

Article Four, Board of Directors, Section I, Number and Terms, to have the following sentence added at its conclusion:

No director shall serve more than six years in succession on the board.

This change is recommended as part of customary best practice for nonprofit associations. It is considered that term limits involve more members in association governance, ensure turnover at the top, and make for a more vibrant organization. This amendment, if passed, would not disqualify any director now in office; all current members of the board of directors would be eligible for election to either one or two additional terms.

Bylaws amendments require that two-thirds of those voting should vote in favor if they are to be passed. The Bylaws Committee, headed by D. Hal Sillers, is reviewing other aspects of the bylaws to see if further changes should be suggested to the membership.

WHO IS ELIGIBLE TO VOTE IN NAJIT ELECTIONS?

All active members and life members with the rights of active membership may vote in NAJIT elections. Associate, corporate, honorary and organizational members do not have the right to vote. Since NAJIT’s membership year runs by the calendar year, members must renew each year and pay their dues if they are to vote in that year’s election. If members do not renew by February 28, they are considered to be in arrears. NAJIT will send a written notice at that time. If the member does not pay dues by March 31, he or she is then suspended from membership.

This means that all members who wish to vote on **Saturday, May 14, 2005** must have paid their dues no later than **Thursday, March 31, 2005**. The ballots will be sent out in early April to everyone who is a voting member in good standing. Members may vote by mail, or in person in Washington, D.C.

If you join NAJIT as an active member or renew your membership **after April 1, 2005**, you will not be eligible to vote in the Washington, D.C. election, but you are most welcome to attend the meeting and learn about the candidates and the issues.

This information can be found in article three, section 3 and article six of the NAJIT bylaws on the website—or contact headquarters for a paper copy. ▲

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HONORS

WHEREAS CRISTINA HELMERICHS D. SERVED ON THE NAJIT BOARD FROM 1996 UNTIL 2004, AND

WHEREAS MS. HELMERICHS SERVED FROM 1996 TO 1999 AS TREASURER OF THE BOARD, AND

WHEREAS MS. HELMERICHS SERVED FROM 1999 UNTIL 2004 AS CHAIR OF THE BOARD, AND

WHEREAS DURING THE TIME OF MS. HELMERICHS' SERVICE NAJIT GREW IN SIZE, REPUTATION, AND SIGNIFICANCE IN THE FIELD OF COURT INTERPRETING AND TRANSLATING, AND

WHEREAS MS. HELMERICHS' CONTRIBUTIONS TO STRENGTHENING THE ASSOCIATION, DEVELOPING THE CAPACITIES OF THE BOARD, RESPONDING TO MEMBER CONCERNS, AND REACHING OUT TO OTHER ASSOCIATIONS WERE OUTSTANDING,

NOW, THEREFORE, BE IT RESOLVED THAT THE NAJIT BOARD EXTENDS TO CRISTINA HELMERICHS D. ITS PROFOUND GRATITUDE FOR ALL SHE HAS DONE FOR OUR ASSOCIATION AND OUR PROFESSION.

ALEXANDER RAÑOF, PH.D.
OCTOBER 5, 2004
CHAIR, BOARD OF DIRECTORS

Malintzin Prize for Interpretation Awarded

September 13, 2004

Dr. Georganne Weller
Mexico City, Mexico

Dear Georganne,

I just received news from the Executive Director of NAJIT Ann Macfarlane that the Colegio Mexicano de Intérpretes de Conferencias had bestowed upon you the Malintzin Prize for Interpretation. As chair of the board of directors of NAJIT I want to be one of the first to congratulate you on this great honor you received, one that reflects also upon NAJIT. We are proud to have you as one of our members.

Personally, I am delighted that you received this well-deserved accolade given only every second year to "one who has excelled both professionally and personally as a conference interpreter, colleague, and caring human being." Hear! Hear! These words fit you like a glove.

With official congratulations and a personal abrazo,
Alex Rañof
Chair, NAJIT Board of Directors

Open Letter to the NAJIT Board of Directors

I was deeply moved when I received the letter in which Alex informed me I had been awarded life membership by the NAJIT board of directors. This is truly a great honor for me and, because of the special place NAJIT has in my heart, life membership does have a profound and special significance for me.

I don't know who nominated me, but I want to say a special *thank you* to those NAJIT members who thought about this. You have given me a very special gift.

To the members of the board who voted to approve this nomination I want to convey my heartfelt appreciation and gratitude as well. You made my day (for the rest of my life)!

I can only feel encouraged by the words of praise expressed by Alex in his letter. Rest assured that I will continue to work very hard to remain worthy of such a high distinction.

Janis Palma
USCCI, NCJIT-S

California CIMCE credits awarded

- Regional Conference on Forensics, Miami Beach, FL
– #1558, max. 14.5 hrs
- Annual Conference, Denver, CO – #1559, max. 15 hrs.

California Congressman Doug Ose presented NAJIT member **Nancy Zarenda** with a special Congressional Recognition as an outstanding Hispanic American in the area of education on October 16, 2004 in Sacramento. Ms. Zarenda is a consultant to the Language Policy and Leadership Office of the California Department of Education and serves on the NAJIT Advocacy Committee; her article on California legislation to prohibit child interpreters appeared in *Proteus*, Vol. XIII, No. 1.

The NAJIT board of directors hereby accepts the request of **Carmen S. Barros** to relinquish her position on the board of SSTI. The directors extend their deep gratitude to Ms. Barros for her faithful service as secretary/treasurer over the last three years. Her service and generosity have helped the Association to develop its outstanding certification program, and are much appreciated. [Resolved: July 29, 2004]

COMMITTEE REPORTS

Advocacy Committee

NAJIT opposes lawsuit filed by ProEnglish

October 14, 2004

The Honorable Barry Ted Moskowitz
U.S. District Court
Southern District of California

**RE: PRELIMINARY INJUNCTION AND LAWSUIT
CHALLENGING THE U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES MANDATORY TRANSLATION AND
INTERPRETATION RULES**

Case Number: 04CV1748

Dear Judge Moskowitz,

The National Association of Judiciary Interpreters and Translators (NAJIT), a professional association of language specialists in the legal field, with extensive expertise in the medical field as well (the two fields are closely interrelated), is strongly opposed to the request for a preliminary injunction in a lawsuit filed by ProEnglish, challenging the U.S. Department of Health and Human Services (HSS) mandatory translation and interpretation rules due to professional and humanitarian considerations.

Our association was founded in 1979 and currently has over 1,000 members who work daily to bridge the language gap and assist in providing meaningful access to public services for limited English proficient (LEP) or non-English speakers throughout the United States. Our members are in a unique position to see how often access to accurate translation and interpretation in medical situations is compromised for limited English speakers, despite Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of national origin.

According to the 2000 Census, nearly 47,000,000 people, or 18 percent of the population over five years of age, speak a language other than English at home. These numbers are projected to continue to increase in every state in the nation. Catastrophic events take place in the health sector when adequate language access is not provided and are reported with alarming frequency across the nation. The high cost, in terms of lives, human dignity and dollars, has become an issue of national concern.

NAJIT fully supports Executive Order 13166 (E.O. 13166), which has maintained bipartisan support since it was signed by President Clinton and reaffirmed by President Bush. Our organization supports full implementation of the policy guidelines issued by the Department of Health and Human Services in order to ensure equal access to important medical services and programs to all non-English speaking and LEP persons.

Sincerely yours,
Alexander Rainof, Ph.D.
Chair, Board of Directors, NAJIT

NAJIT supports bill prohibiting child interpreters

August 18, 2004

The Honorable Dede Alpert
Chair, Senate Appropriations Committee

RE: AB 292, Prohibiting the Use of Children as Interpreters

Dear Senator Alpert:

On behalf of the National Association of Judicial Interpreters and Translators (NAJIT), I urge you to support passage of Assembly Bill 292, prohibiting the use of children as interpreters by California state departments and agencies, and by organizations receiving state funding. The bill is presently in your committee on suspense.

It has become all too common for children to be used as interpreters for their parents and families as a matter of convenience for service providers. The effects on children can be devastating, and they should not be used as intermediaries in situations concerning legal matters, domestic violence, health issues or family concerns. This may lead to children missing school and being subjected to issues, terms, and conditions that they do not understand. It may lead to critical misinformation, serious and even life-threatening error.

AB 292 creates policy appropriate for California, reflecting our diversity and our responsibility for our children. Please release this bill so that children are removed from potentially traumatizing, dangerous and inappropriate situations.

Sincerely,
Alexander Rainof, Ph.D.
Chair, Board of Directors

Education Committee

Student Outreach Program Seeking: T&I program info

We are in the process of collecting information about translation and interpretation programs active in the U.S. at this time. If you know of a local T&I program at a community college or other educational institution, please send the contact information to studentoutreach@najit.org. Thanks for your help!

Vanesa Ieraci, Chair of the Student Outreach Program,
a project of the NAJIT Education Committee

SSTI NEWS

Passing the Baton

Janis Palma

Letting go is always hard. Whether it's your children when they grow up or an organization ready for new leaders, acknowledging that the time has come to move on and make room for someone else is never easy. You wonder if it's the right time or too soon, you worry about what will happen if you're not there to deal with day-to-day problems, you go over a mental list of all the things you want to pass on, yet can't shake the feeling that you may be forgetting something vital.

Of course, no one is truly indispensable, and organizations — like grown children — survive in spite of your greatest fears and apprehensions. Thirty-one months ago I joined the SSTI Board of Directors and shortly thereafter accepted the position of President, trying to fill Mirta Vidal's shoes and give some continuity to the work she had started, in the company of two excellent colleagues, Carmen Barros and Alexander Raïnof. The experience can be compared to jumping onboard a plane in mid-flight and being told: "The control panel's all yours now."

At least I have the satisfaction of knowing we stayed on course, though profoundly distressed by the illness taking over Mirta's life inch by inch during that first year. I'm fairly certain I did not disappoint her, or any of my colleagues. Somehow we managed to forge a resilient union between the SSTI and NAJIT Boards such that our collective talents could be put to work more efficiently for the benefit of our members and the profession in general. I am very pleased with what SSTI has accomplished so far.

The time has come to make room for a new group of dynamic and hard-working NAJIT members who will serve on the SSTI board over the next year: Lois Feuerle (vice president), Melinda González-Hibner (secretary), Michael Piper (treasurer), and the new president as of October 1, 2004, Peter Lindquist. During our last board meeting we outlined great plans for SSTI, which the new

president will soon announce to the NAJIT membership. Work is now distributed among five Board members, making the load much easier to shoulder. I feel confident that the expansion in the number of Board members, the division of secretary and treasurer duties, together with the distribution of specific areas of responsibility will greatly contribute to the new Board's efficiency in accomplishing every goal we set out for SSTI this year.

As I step down from the presidency, I am grateful to our administrator, Ann Macfarlane, for her priceless support and assistance during these past two years. I also want to thank NAJIT's past and present board of directors for the trust they placed in me when they appointed me to the SSTI Board. And last but not least I want to acknowledge all the efforts above and beyond the call of duty that Donna Merritt of Measurement Incorporated has made to ensure the success of the National Judiciary Interpreter and Translator Certification Examination. She and her staff are the heroes behind the scenes without whom things would never get done. I owe them my greatest respect, admiration, and appreciation.

I have a new focus: *The Mirta Vidal-Orrantia Interpreting and Translating Institute* (www.orgsites.com/ny/mvoiti/index.html). That is where I will be investing all my energy from this point forward as executive director, with the invaluable help of Dagoberto Orrantia as academic director, and — of course — the support of the SSTI and NAJIT Boards. I am looking forward to nurturing this new project. My commitment to NAJIT, its members, and SSTI as my new project's sponsoring organization remains as strong as ever. After witnessing our collective growth over the past twenty some-odd years, I feel nothing but the utmost pride in what we have accomplished together. Yet we still have so much to do. I see new NAJIT members becoming involved and taking leadership positions in our organizations, and it is this level of involvement and commitment from each one of you that will ensure our profession's growth and development beyond the contributions of any single individual.

My best wishes to the new SSTI officers!

Upcoming Member Survey to Assist NAJIT Event Planning

The NAJIT board of directors has announced that the spring regional conference originally scheduled for February 26, 2005 has been cancelled. Four highly significant and intensive conferences were organized for California interpreters this fall. It is the view of the board that scheduling another event so soon afterwards would not draw sufficient attendance.

The Education Committee will survey the membership to determine which areas of the U.S. and which topics would be most attractive to our members. Your support in completing the survey will be very helpful. Please watch your inbox in January and give us your input so that we can schedule the best events in the best places. Thank you for your support of NAJIT.

Karen Borgenheimer, Chair, Education Committee

CONGRATULATIONS!

The Board of Directors of the National Association of Judiciary Interpreters and Translators, upon consultation with the Society for the Study of Translation and Interpretation, is pleased to announce that the following persons have been awarded certification:

Olga M. Alicea	Carol Rhine Medina
Susana Cahill	Steven Mines
Cecilia Castro de Anderson	Janis Palma
Mayra Cardona Durán	Michael J. Piper
José F. López	Gerardo T. Rojas
Lorena P. Martin	Daniel Sherr

CONFERENCE REPORT

JUSTICE BEGINS WITH EQUAL ACCESS TO IT: GOVERNMENT SEEKS TO LEAD BY EXAMPLE

Nancy Festinger

By 1995 the Haitian community in Delray Beach, Florida was growing by the thousands. Haitian victimization crimes were on the rise but under-reported. Seeking ways to forge a relationship with the new community, the police department invited Haitians to a meeting to discuss law enforcement and their rights. They even arranged for an interpreter. But when the meeting was scheduled to begin, the room was empty. Puzzled, the police chief sent his deputies to investigate and soon received a report. Many Haitians were huddled outside in the parking lot, memories of the Tonton Macoutes rendering them too petrified to cross the threshold. The chief then took matters into his own hands by going out to the parking lot, putting an arm around each man and coaxing him inside. Today over 90 Haitians have graduated from the citizens police academy, a Haitian Roving Patrol pairs Creole-speaking volunteers with police officers, crime is down, and community relations have never been better.

The story of Delray Beach was one of many highlighted at a conference in the Department of Justice on September 21, 2004, hosted by R. Alexander Acosta, a Cuban-American appointed in 2003 as Assistant Attorney General for Civil Rights. The aim of the conference was to share resources and show how initiatives taken by law enforcement, non-profit organizations, courts and others to protect the lives and rights of those who cannot surmount the language barrier are vital in the civil rights arena. The all-day event, which Acosta called “momentous,” was the first of its kind at the Justice Department on the issue of language access in both the state and federal sectors. “Ideas are easy, implementation is the challenging part,” he warned. Language access policies do not deny the importance of English language acquisition, he stressed, but do have a positive, pragmatic impact on the lives of millions of people.

In cases of alleged violations of Title VI, the civil rights division has a complaint process and tries to resolve issues by arbitration. The division’s coordination and review section (COR), which works to promote full compliance with federal civil rights laws in all government offices, has surveyed the field and concluded that no “cookie cutter” approach will work, but that everyone has something to learn from others about innovative approaches to LEP access. Among some 200 “LEP experts” invited to the conference were non-profit service providers, state and governmental public servants, law enforcement, private sector language service providers, interpreter associations (the NAJIT Board in its entirety was present), trainers, testers and others who have been grappling—many of them for decades—with the administrative and logistic, not to mention financial challenges, of providing quality language access to linguistic minorities. The featured speakers

displayed a kind of zeal and personal stake in the issues that no doubt contribute to the success of their programs, with a prevailing attitude like the song lyric: “the difficult I’ll do right now; the impossible will take a little while.”

A panel on courts highlighted achievements and range of services in the New Jersey, Oregon and Washington state courts. A panel on law enforcement pointed to initiatives taken in Florida, Ohio and Texas. (The Ohio initiative involved many NAJIT members and culminated in a model program guide for law enforcement; see link below.) Several organizations spoke about language barriers for women in domestic violence cases.

The Civil Rights Division made available three outreach tools: an interagency video on limited English proficiency, “Breaking Down the Language Barrier: Translating Limited English Proficiency Policy into Practice” (English and Spanish narration available, voiceover available in Vietnamese, subtitles available in Chinese and Korean); a looseleaf book entitled “Executive Order 13166/ Limited English Proficiency Resource Document: Tips and Tools from the Field” and a Civil Rights Division pamphlet entitled “Federal Protections against National Origin Discrimination” in Spanish, Hindi, Vietnamese, Korean, Farsi, Tagalog, Hmong, Arabic, Russian, French, Laotian and Haitian Creole and Punjabi. (To judge from the Spanish, they could have had better quality control of the final text.)

Lest anyone decry the DOJ guidance (www.lep.gov) as an unfunded mandate, Juan Milanes of the Executive Office of United States Attorneys stated that federal programs are funded for everyone and that logically, standardized policies should be in place for every agency. “We do not provide access because it’s popular or easy, but because it’s the right thing to do,” he declared. A pilot program in three districts developed U.S. Attorney procedures that have been adopted for all U.S. Attorney Offices. Each district has an LEP coordinator responsible for the development and submission of a language assistance plan. (For information about whom to contact in your area, call Olga MacLean at 202-514-3982.)

Gone are the days of “it’s not my problem.” The examples offered showed that partnerships among courts, law enforcement and community groups are the wave of the future in language access. Every resource will need to be tapped, programs will need to seek grants (which some speakers assured us were plentiful on the Federal Register) and the good news is that expenses related to language service can be included in program funds in grant applications.

All agreed that the key to quality is education, both of client communities and official entities, and that while change may come slowly it will come inexorably. It certainly seemed as though

> continued on page 14

CALIFORNIA CONVENES STATEWIDE CONFERENCE

Izumi Suzuki

The first California statewide interpreters conference, organized by the Administrative Office of the Courts under the Judicial Council, took place in Universal City on September 18, 2004. Except for some presenters from Oregon, I was the only one in attendance from out of state. But since California is the only state that certifies interpreters in Japanese, I decided to get tested there so that I could be credentialed in Michigan, where I live, since both states belong to the national consortium of state courts. California is much more advanced in the court interpreting arena than many other states, including Michigan. From that viewpoint, what I learned at this conference was beneficial not only to myself, but also to the state of Michigan, where I have been asked by the Administrative Office of the Court to hold a workshop for aspiring court interpreters.

The theme of the conference was “One Voice: a Community of Interpreters.” William C. Vickery, administrative director of the courts, talked about California’s court system, unique in that it has a Judicial Council consisting of some 400 members. (He said there is only one other state like California, but didn’t mention the name.) The keynote address, “E Pluribus Unum,” was given by Holly Mikkelson, who reviewed the history of court interpreting in California and the urgent need for unity as we face challenging times in the future.

Most participants were either spoken language or sign language interpreters. The first session and the plenary were both interpreted by sign language interpreters. Even without knowledge of sign interpreting, I could tell that they convey not only words but also the emotions of the speaker (without which any interpreting would be incomplete).

Of four concurrent workshops, two in the morning and two in the afternoon, several sessions related to Spanish, since a majority of the participants were Spanish interpreters. Others were ASL sessions, as well as medical topics. I attended “Interpreting Strategies: Memory Research and Applications” by Julie Johnson and “Types of Interpreting: Team Interpreting” by James Comstock and Keri Brewer.

“Memory Research and Applications” gave useful information any interpreter would want to know. Johnson explained memory with a simple graphic to show that remembering depends on *how you listen*. Then we did an exercise called the digit span, which tests how much one remembers of a 9-digit number just heard. Then she asked those who could memorize the whole 9 digits how they did it. Some said they sub-vocalized, others said they associated with their fingers, and others said they wrote down the digits in their mind. When interpreting, other strategies can be utilized: selection control (what to select), span control (how long one focuses on something), depth and detail control (picture what you hear), mind activity control (association/linkage – to make information more meaningful) and satisfaction control (easy to remember things that you are interested in). You should know and

use what you are good at, and work on your weak points. Then she went on to explain active working memory and long-term memory. It was a very useful session for improving consecutive interpreting.

“Team Interpreting” was presented by a Spanish interpreter and a sign language interpreter from Oregon. I was interested in this topic, because the only time team interpreting happens in Michigan is with simultaneous interpreting. The presenters talked about when and why team interpreting is needed (for monitoring and support purposes; when the length of the proceeding is over 2 hours; when there are different dialects involved, etc.) and what makes a good team interpreter. Audience participation showed that this is common practice in California. There was good discussion, but the presenters couldn’t get through their full agenda in an hour.

The plenary session, “Voice Preservation” by Dr. John Samples, was very interesting, but here again, time was too limited. Among the things I learned: clearing your throat is very bad for your vocal chords but yawning is very good for them; vocal chord abuses one should eliminate are: shouting, loud talking, screaming, vocal noises, coughing, excessive talking and whispering (though soft talking is good). The doctor also taught us how to find optimum pitch and advised us to stay close to your best pitch. He mentioned warm-up exercises (if you are interested in these, I can send them to you – see my e-mail address below), and midsection breathing (the most efficient style of breathing). It was a very interesting session, but too short.

In the afternoon, I attended “Mentoring” by Sharon Neumann Solow, a dynamic speaker. She talked about her experience as a mentee as well as a mentor with such joy that I’m certain she inspired many people to be mentors or mentees. She didn’t review formal procedures and logistics (how often, for how long, etc.) except to say that her own mentoring experience was in person. (Others may have considered mentoring at a distance, but it wasn’t discussed.) Her enthusiasm for mentoring was genuine and the benefits of the experience very clearly communicated.

The last workshop I attended was titled “Japanese Language and Culture” by Dr. Haruko Iwasaki. Being a Japanese and culture consultant myself, I wasn’t expecting much new. But this session was so thorough and powerful that I was most impressed. It might have been a little difficult for non-Japanese speakers to follow, but insight into the usage of Japanese verb conjugation was very intriguing. Her observations on *silence* (it’s not a void but an eloquent expression in Japanese) and a real-life example from a hospital was moving. I felt she deepened my understanding of the Japanese language.

After the workshops, there was one more joint session, a panel of judges moderated by our own Ann Macfarlane. Judges Leo Dorado, John M. Pacheco and Craig L. Parsons talked about “confidentiality” based on a list of confidentiality conundrums.

> *continued on page 14*

JUSTICE BEGINS WITH EQUAL ACCESS *continued from page 12*

everyone is finally on the same page in recognition of the importance of the issues. An Office of Management and Budget study in 2003 concluded that the benefits of language service can measurably increase the effectiveness of government programs.

No one discussed the difficulties encountered in providing language services for the FBI, the Department of Homeland Security or our troops overseas. For that we may have to wait until next time. The conference attendees filling the Great Hall of Justice clamored for a yearly gathering to continue the dialogue. ▲

Links

- LEP Model Program for Law Enforcement:
www.co.summit.oh.us/sheriff/LEP.pdf
- Civil Rights Division: www.usdoj.gov/crt
- Coordination and Review section homepage:
<http://www.usdoj.gov/crt/cor/index.htm>

[The author is chief interpreter for the Southern District of New York and the editor of Proteus.]

CALIFORNIA CONFERENCE *continued from page 13*

The audience jotted down what we thought of each question, and then each judge answered. There were seven items, but I will cite one example. An attorney on the opposite side says to the interpreter, "You interpreted for Mr. M when he was talking to his accountant about his forthcoming court case. What did Mr. M tell his accountant?" The judges answered that since no attorney was involved in the talk, it was not a client-attorney privileged conversation. However, an interpreter is merely a conduit and has an ethical obligation not to disclose. The panel received written questions from the audience, which showed what kinds of problems interpreters face. It is always interesting to hear judges' opinions, since in the courtroom we don't have the time or standing to ask this kind of question. This session also showed how advanced California is in the court interpreting area. Judges (and from my previous experience, prosecutors, attorneys and court administrators) know what court interpreting is and appreciate court interpreters' work. The courts in Michigan (and many other state courts in which I have interpreted) have a lot to learn. I hope I can share what I learned from this conference with the court system here in Michigan.

There were some 400 participants at the conference, and many others on a waiting list who couldn't come. It was worth paying the airfare, rental car and hotel fee (the conference fee was very reasonable) to participate. ▲

[The author is a California certified court interpreter in Japanese. She is chair of the Continuing Education Requirements Committee of the American Translators Association and has served as administrator of the Japanese Language Division and president of the Michigan Translators/Interpreters Network (MiTiN, an ATA chapter.) Email: izumi.suzuki@suzukimyers.com.]

WORKSHOP CANCELLED

NAJIT regrets to announce that the training workshop "Parrots or Ombudsmen?" scheduled for November 13-14, 2005, in Kansas City, Kansas was cancelled due to low registration. NAJIT thanks presenters Holly Mikkelson and Sharon Neumann Solow for their interest in offering this training to members of our professional community.

IN MEMORIAM

A memorial service was held for **Vicky Peña** in NYC on April 13, 2004. Vicky died in March, of a stroke, at the age of 55. A translator and certified Spanish interpreter who worked in the federal courts in NY for over 20 years, Vicky's expertise with witnesses earned her the admiration of the U.S. Attorney's Office of the Eastern District of New York, where she worked frequently for the past ten years. She was a rater for the New York state court interpreter examination and in the early 1980's served one term as secretary to CITA, NAJIT's predecessor organization. She will be very much missed by her colleagues.

Daniel Robert died on September 7, 2004. An interpreter and translator for many years in Sacramento who most recently worked in the San Diego area, Daniel participated in the preparation and administration of the California and Washington state exams and contributed through workshops and papers at professional conferences. He will be remembered as a brilliant practitioner of the interpreting art.

Richard Weatherby, a long-time outstanding contributor to the cause of professional court interpreting in California, passed away on October 17, 2004. Richard had served as president of the California Court Interpreters Association, held other officer positions and took active part in CCIA's work over many years. He served for several terms on the Court Interpretation Advisory Panel for the Judicial Council of California and was one of the members charged with granting approval for CIMCE credits. He will be deeply missed by his colleagues, to whom his good humor, intelligence, sense of fairness and wisdom were an invaluable resource. ▲

ITEMS OF INTEREST

In June 2004 a California case was reversed for interpreter error: rightly or wrongly? Read the appellate court decision and letter from the interpreter's attorney: www.cfi-baci.org/updates.html

August 2004. The State of Texas has significantly lowered the licensing fee for court interpreters, from \$175 annually to \$75, a 57% reduction.

Marijke van der Heide, interpreter program specialist at the Administrative Office of the U.S. Courts, retired in September, 2004 after many years of government service with the FBI and the AO. ▲

*** Member Alert! ***

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In recent years the trend towards using Internet travel services has severely affected the conference hotel business. When you rent a room at our conference hotel through an

Internet travel service, you may find a slightly lower rate, but your room does not count towards our room block. Many organizations have had trouble “meeting their block” and have therefore had to pay substantial fees for the meeting rental (in one recent case, up to six figures).

There are other options, such as agreeing on a meeting room rental fee in advance, and then charging members a substantially higher conference registration fee to cover it. The NAJIT board strongly prefers to keep conference rates as affordable as possible. Please support NAJIT in 2005 by staying at the Hotel Washington for our annual conference. Make your reservation directly with the hotel by April 4, 2005. This allows everyone to enjoy a prime location and excellent meeting rooms at a reasonable price.



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BOOK REVIEW

CONFERENCE INTERPRETING EXPLAINED

Roderick Jones

St. Jerome Publishing; 1998; Second edition 2002; Paperback, 142 pp.

Joanna Dezio

The art of oral interpretation holds something of an alchemic fascination for many people, especially in its quasi-simultaneous form. (I say “quasi” because true simultaneity is a myth and, if you think about it, obviously an impossibility in a process where you are transforming spoken language from one system into another.) Even many bilinguals wonder at an interpreter’s ability to function in two linguistic universes at once. How one develops the ability seems inexplicable, unimaginable — even for those of us who do it.

In *Conference Interpreting Explained* Roderick Jones unravels some of the mystery without dispelling the wonder. Part of the series *Translation Practices Explained*, his book is aimed at both the layperson merely curious about the process as well as the professional interpreter. The former may get bogged down in some of the technical passages, but the latter, ever in search of new clues to surmounting the endless and exhilarating challenge, will be drawn in.

Jones begins by defining familiar terms such as *source language*, *target language*, *passive language*, *mother tongue*, *retour* and *relay*, then proceeds to the basic principles of consecutive interpreting, suggesting various techniques of note-taking before tackling the thornier question of effective simultaneous interpreting. For though both are difficult to master, simultaneous is the more elusive. And it is in his many suggestions for improving technique in simultaneous that Jones demonstrates what he can only have acquired through long years of experience. He quite rightly emphasizes basics such as gearing choice of expression to the real people one is interpreting for, maximizing concentration by strict attention to equipment, acoustics and proper positioning — all powerful distracters when not up to snuff. He suggests keeping the interpreted rendition composed of short sentences so as to be sure that one is making sense and will be capable of finishing the thought.

The question of when to begin speaking is given careful attention. Jones wisely counsels that “we must...reject simultaneous being done as a kind of sequence of accelerated mini-consecutives.” He evokes the discipline of waiting for the speaker to enunciate “some ‘slice’ or ‘chunk’ of speech that forms a meaningful whole” — also called “unit of meaning” — before diving in. With experience, interpreters learn to sense for themselves the right lag time before beginning to interpret. Taking the big leap on the heels of that “unit of meaning” is concrete advice that beginners can confidently follow, along with another that Jones advocates, of avoiding beginning with a subordinate or relative clause. (How

many of us have fallen into that trap before learning our lesson?)

The question of reformulation is rather more ticklish, and here Jones proves to be refreshingly unorthodox. Just as teachers of foreign languages to adults cling ferociously to the “not one word of English” rule in utter obliviousness to the fact that they can forever blabber without penetrating, where appealing to adult cognition for one minute can work miracles; so do many interpreters and teachers of interpreting cling with the same ferocity to the “every single word” doctrine. Some interpreters insist that in addition to being faithful to every individual word, the interpreter must finish the interpretation at precisely the same moment that the speaker finishes. What slapdash verbiage is going into their microphones? Jones is, quite simply, too real for all that. His very helpful principles of reformulation liberate the interpreter from the individual word in order to allow him or her to sculpt the speaker’s idea into a form expressive of the target language yet faithful to the spirit of the original. His own image is that of “a film director adapting a novel for the cinema.” Since the medium has changed, the director will have to make changes in order to “achieve the desired effect...thus ‘betraying’ the novelist.” Jones helps us to get over it: this is healthy betrayal that frees us to be truly effective and inspired interpreters. It is often omission, he reminds us, which he eloquently terms “intelligent sacrifice,” that permits us to “preserve as much of the essential message as possible.”

In the same spirit, Jones refers to recapitulation and summarization in order to clarify an incoherent idea, explanation of terms when a speaker takes shortcuts through acronyms or expressions likely to be unfamiliar to the audience, and caution when dealing with metaphors and sayings. He realistically admits that sometimes interpreting is a numbers game and it is up to the interpreter to make the hard choices. This is revolutionary stuff to some, and I find his approach refreshing. He does not shy from the realities of the task and has sufficient confidence in his own performance to eschew insisting on impossibilities or a perfection which would not be desirable, even if it existed.

The interpretation, of course, is not the only variable in the conference communication process. The speaker may have his or her nose in a forbidding technical document, determined to deliver it in record time, oblivious of the audience the interpreter dares not ignore. There is what the French kindly call “*une structure large*,” that tiger whose tail you chase in vain, the point that never gels. Jones makes us feel positively valiant in our effort to lend some form to content treated carelessly by the speaker, but never sug-

gests altering meaning. His suggestions are thoroughly responsible and directed toward capturing and rendering the true meaning.

It is implied, quite correctly and rather modestly, that the conference interpreter must have considerable knowledge of the subject being interpreted in order to do a credible job. Politics, science, medicine, philosophy, economics, the law — all are part of the arsenal. A mere vocabulary list will not do, for context is all, and understanding the principles behind the discourse is a necessity. How else would the textual manipulations described above be possible at all? This is information Jones might convey to those non-interpreters who clearly annoy him when they ask if his job "... is not too much of a routine or whether [he is not] frustrated at 'just repeating' what other people say." He neatly puts such misconceptions to rest.

The book might have benefited from better editorial assistance. Some passages are repetitive and go on beyond effectiveness. Minor points are given the same weight as major ones. Proper divisions within the work would have helped and should have been established with the readership in mind. Sometimes jewels are buried in mundane details and might easily be overlooked or unappreciated. Different examples of techniques could be consolidated. Some explanations are overlong, leading to reader fatigue or boredom.

As an interpreter and teacher of both interpretation and translation, I commend this work to interpreters, who will find the recommendations helpful, as well as to teachers of interpretation. This is a good reference text to keep on the shelf for ready consultation. Jones approaches some of the seemingly ineffable aspects of this elusive art pragmatically and includes excellent exercises in both consecutive and simultaneous interpreting. Students at the intermediate level and above are ready for Jones and will find him a solid coach, at times illuminating.

The deeper questions about interpreting remain: where does this hypersensitivity and acute perception of language come from and how does one acquire it? What promotes auditory memory and response to sound in societies where visual memory seems by far the more common? And when will governments learn that you cannot simply decide that a particular language is no longer necessary, or that another has become crucial, and hope to fill staff positions immediately? The passion for a foreign language or culture and the years necessary to master another linguistic system are beyond short term and practical goals. Even though such mastery is more and more the currency we require to survive in an interconnected world, acquisition remains long-term and beyond the realm of the possible for many. Good interpreters today are few in number yet crucial. Jones imparts valuable lessons to the already committed in whom the aptitude resides. Though he is surely an initiate, he manages to shed light on the process without removing the aura of the mysterious.

[The author is a conference interpreter in French and Italian and teaches interpretation and translation at Montclair State University. She holds a doctorate in French literature.]

CALENDAR OF EVENTS

December 7-8, 2004. Havana, Cuba. 5th Symposium on Translation, Terminology and Interpretation.

Information: g.jordan@aiic.net.

May 13-15, 2005. Washington, D.C. NAJIT 26th Annual Conference. Information: www.najit.org.

July 10-15, 2005. San Antonio, TX. RID National Conference. Information: www.rid.org.

August 2-7, 2005. Tampere, Finland. FIT Statutory and General Congress. Information: www.fit-ift.org.

November 9-12, 2005. Seattle, WA. ATA 46th Annual Conference. Information: www.atanet.org.

May 19-21, 2006. Houston, TX. NAJIT 27th Annual Conference. Information: www.najit.org.

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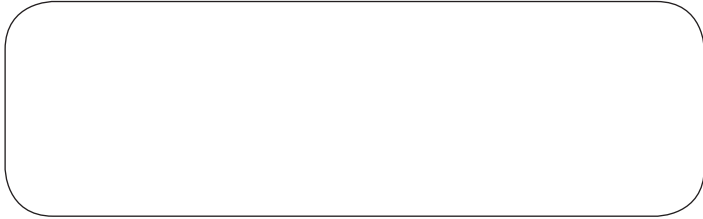
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