



PROTEUS

*The Newsletter of
The National Association of Judiciary Interpreters and Translators*

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LARGE ATTENDANCE, INFUSION OF NEW IDEAS MARK NAJIT'S THIRTEENTH ANNUAL MEETING

Although late notice prevented many members from attending NAJIT's 13th annual meeting in Washington, D.C. on November 8-10, 1991, the sixty members in attendance at the Radisson Hotel were amply rewarded. The agenda featured a pre-conference workshop, an opening address by Samuel Adelo that refocused our priorities, a talk on marketing strategies for the language professional, lively small group discussions, and a keynote speech by an Australian judge who has been studying the U.S. system of interpreter certification.

Nearly twenty-five people registered for the pre-conference workshop on tape transcripts, led by Alee Algers, the first of its kind that NAJIT has held. Many participants had experience translating tapes, were practiced in computer technology and readily shared information and techniques for transcript preparation. Not surprisingly, ethical questions arose -- how much the interpreter may rely on information provided by an agent, for instance -- which should be examined further in future workshops.

The conference proper began with a bang: a nonsense speech by Samuel Adelo on issues we face in the 90's. Taking a hard look at our strengths and weaknesses, he sounded a rousing call to action that set the tone for the rest of the conference. If his plan of action is carried out, the Association will be well prepared for the next century.

In a practical vein, he recommended that NAJIT's internal communications be improved by retaining professional managers to take over the day-to-day business of the organization. With a burgeoning membership, we can no longer rely on a volunteer staff of well-intentioned but busy freelance interpreters.

In the past, associations like ours have reacted to problems instead of actively promoting professional interests, but Mr. Adelo argued convincingly for a pro-active association and more official contact with other interpreters' organizations. Point by point he laid out a cogent and realistic plan, an outreach program to include editorial board briefings, position papers, articles in local and legal publications and a

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ELECTION RESULTS: BOARD ASSUMES POST

One hundred and two members cast their ballots in the election for Board of Directors held by mail during November and December 1990, according to María Voltmer, Elections Committee Chair. The results were as follows: Samuel Adelo received 67 votes; Mirta Vidal, 48; Alee Alger, 42; Leo Ortiz-Minique, 39; Miriam Pickert, 37, and Luann Revera Jensen, 18. By a margin of 77 for and 9 against, voters chose to establish a life membership category as provided for by Article 3, paragraph 9 of NAJIT's Bylaws.

The top three candidates now make up the Board of Directors. Their term of office, in accordance with the amended Bylaws, is two years. The other two members of the Board are Sara García-Rangel and Mary Ellen Pruess, who have agreed to continue for one year as Treasurer and Secretary.

The Board held a telephone conference on December 23 and elected Samuel Adelo as Presiding Board Member for a one-year term. He will be in charge of public relations for the association, and together with Mirta Vidal will coordinate efforts with the National Center for State Courts project, which was recently created to recommend standards and develop exams for state and local court interpreters.

Other Board members will coordinate the various projects of the Association: Alee Alger will oversee Publications and contacts with other organizations; Sara García-Rangel, Education and Training; Mary Ellen Pruess, Membership and Ethics, and she will also serve as liaison with Plaza II Executive Center, Inc. of Santa Fe, New Mexico, the agency that will perform NAJIT's clerical and administrative services; and Mirta Vidal will work with the Accreditation Committee chaired by Maurice Gilbert.

Two decisions that affect the entire membership were made at this meeting: the Board decided to raise the annual membership dues to fifty dollars, and to hold the next annual NAJIT meeting in February 1993, a time of year that is convenient for travel and that would permit members to attend the fall meetings of two sister organizations, CCIA and ATA.

The Board will meet again via telephone on January 25.

EDITORIAL POLICY

The official language for the publication shall be English. Members may submit material in another language provided that it is accompanied by an abstract in English. The editors reserve the right to refuse material or edit submissions to conform to publication standards.

The publication will uphold the same high standards of impartiality, accuracy and completeness as required of judiciary interpreters.

The contents of the newsletter will mirror the diversity of the membership. We will report on issues of interest in a timely, objective and serious manner. We will take pro-active stances in the promotion of adequate compensation and fair, uniform working conditions throughout the United States.

THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS AND TRANSLATORS

NAJIT (formerly CITA, the Court Interpreters and Translators Association) was founded in December 1978 by a group of active freelance and staff Federal and State court interpreters who sought to unite in a single national association with the following aims:

To promote professional standards of performance and integrity

To advance the highest quality services

To advocate training and certification of interpreters through competent and reliable testing methods

To achieve wider recognition for the profession and art of court interpreting

To make the public and the judicial community aware of the unique role and function of a court interpreter

RE: CODE OF ETHICS

Group discussions at the Washington meeting revealed that some members were unfamiliar with the NAJIT Professional Code for Court Interpreters. In order to remind everyone of its importance and of our obligation to uphold its standards, we reprint the *professional ethics* section of the code.

I- PROFESSIONAL ETHICS

A) ACCURACY

Court interpreters should always thoroughly and exactly interpret what is said, omitting nothing and stating precisely what has been said, given the exigencies of grammar and syntax in both languages. This complete accuracy applies to all modes of interpreting: simultaneous, consecutive and summary.

B) CONFIDENTIALITY

Interpreters must protect the confidentiality of all knowledge gained during the course of their duties. As they are the verbal link between the client and attorney, attorney-client privilege pertains to interpreters as well. Interpreters may have access to private documents, police records, medical files, etc. during legal proceedings. Consequently, they must remember that they have an absolute responsibility to keep all oral and written information gained completely confidential. They should not derive personal profit or advantage from any confidential information acquired while acting in a professional capacity.

C) IMPARTIALITY

Interpreters should maintain an impartial attitude with defendants, witnesses, attorneys and families. They should neither conceive of themselves nor permit themselves to be used as investigators for any party to a case. Interpreters should not take sides or consider themselves aligned with the prosecution or the defense.

D) PROFICIENCY

Interpreters should only provide their professional services in a matter in which they are confident of their capacity to perform accurately. They should feel no compunction about withdrawing from a case in which they feel they will be unable to function effectively, due to lack of proficiency, preparation or difficulty in understanding a witness or defendant. Interpreters should continually improve their language skills and increase their knowledge of vocabulary in the various areas which might be encountered in court interpreting.

ANNUAL MEETING A SUCCESS

(continued from page 1)

trained cadre of speakers for conferences, with emphasis on using all sectors of the media to educate the public and legislators regarding the interpreter's role and function -- still woefully misunderstood. "For too long we have been talking primarily to each other about issues such as protection, standing, decent pay and good working conditions," said Adelo. "As colleagues we have to continue to foster close fraternal and sisterly ties at the state and national level. As enlightened and intelligent communicators, we need to perform well within and without our professional ranks."

Sylvia Straub, Executive Director of The Registry of Interpreters for the Deaf, discussed how marketing strategies can help us redefine our identity as an organization. She suggested that one way of getting a more complete picture of how our "consumers" (i.e. judges, attorneys, clients and administrators) perceive us would be to conduct a survey of all those who use interpreter services in the courts.

If the guest speaker, Judge Margaret O'Toole of New South Wales, Australia, was any indication, we need not worry that judges underestimate the importance of our services to the judicial system. Welcoming the opportunity to communicate with interpreters, Judge O'Toole praised their "dedication, commitment and skill," their "intellectual integrity and independence" and their "lively interest in all aspects of humanity." Australia's judicial system is different from the United States' but with ninety-seven languages spoken throughout the country, it has begun to recognize the need for competent interpreters. She underscored that the common aim of judges and interpreters is to put the witness or defendant in the same position as every other citizen who has his day in court.

Culturally sophisticated, well-informed, brimming with interest in the interpreter's contribution to communication in the courtroom, Judge O'Toole, who will be reporting back to the Attorney General of New South Wales on interpreter issues, can be counted on to champion high standards and foster fruitful dialogue between the judiciary and administrators who must answer a growing demand for language services in the courts.

In the small group sessions, discussions centered on legislative issues, professional accreditation, publications, continuing education, interpreters of languages other than Spanish and local chapters. Designated individuals reported on the small group meetings at the Plenary Session held on Sunday, November 10.

The continuing education group agreed that we should go on supporting and organizing workshops and seminars like those held in 1990 in Chicago, Austin and Dallas. Ed Baca of the Administrative Office of the U.S. Courts may be willing to make

funds available to encourage further training and to obtain teaching materials. José Díaz volunteered to work with Sara García-Rangel on this committee.

The consensus at the meeting on professional accreditation was that we should seriously study the feasibility of creating a mechanism for accreditation. Maurice Gilbert will be committee chairman.

Another small group discussion focused on the need for timely publication of the newsletter. The group agreed to recommend that the Association publish an annual journal that would report on relevant research, and José Varela-Ibarra volunteered to be editor.

The discussion on local groups centered on the desirability of creating and supporting the activities of local chapters.

Discussed in two other meetings were two areas that merit attention: legislative issues affecting judiciary interpreters and -- in the absence of a national certification program -- the need for uniform standards for interpreters of languages other than Spanish.

Robin Byers was the conference organizer. Her coordination of all arrangements resulted in a smooth meeting unencumbered by logistical problems.

TO RETEST, OR NOT TO RETEST

Once interpreters are certified, should they be retested and made to enroll in courses to upgrade their skills? According to two bills now under discussion in California, the answer may be yes. Concerned about the poor quality of court interpreting, the Judicial Council and the Personnel Board have proposed stricter controls over the state's judiciary interpreters. The Board, arguing that testing in the 1980's was inadequate, insists on the need to retest all current interpreters. The California Court Interpreters Association maintains that interpreters who already have passed the state test should not have to retake an exam administered by a new Certified Interpreters Board, and the Judicial Council recommendation agrees with this view, but in turn calls for more rigorous controls over the use of uncertified interpreters. A study conducted by the *San Jose Mercury News* in 1989 found court interpreting services to be "a system riddled with untrained, unethical and unskilled interpreters [where] testimony is often distorted and defendants sit bewildered through their own court proceedings." The chairman of the Judicial Council, a Court of Appeals judge, said, "We want to make sure that people who don't speak the English language can understand what's going on in the courtroom... We have an absolute commitment to seeing that these people have as much justice as anyone else."

RESEARCH UPDATE

COURT INTERPRETING: SOFT VS. HARD RESEARCH

Much of the research that has been published on court interpreting, even in refereed journals of academic prestige, has been of the "soft" kind. A good example is Elena De Jongh's "Foreign Language Interpreters in the Court-room: The Case for Linguistic and Cultural Proficiency." *The Modern Language Journal*, Vol. 75, No. iii (1991).

A U.S. Certified Court Interpreter and Florida International University professor, DeJongh explores in this article the role of court interpreters and their relationship to language and culture. The status of interpreting in U.S. courts and the growing need for interpreters are described and illustrated with tables of the federal fee schedule, interpreter use for calendar years 1979-1988 (Spanish) and 1988 (other languages). Modes of interpretation, bilingualism and biculturalism in court interpreting, and cross-cultural communication are the other topics covered. Citing O'Barr's research on powerful and powerless language in the courtroom and quoting Susan Berk-Seligson's findings that interpreters "are influential in effectuating the changes that can make a difference between one register and another," De Jongh reminds us that "How something is said may at times be more important than what is actually said."

Other examples of recent "soft" research articles are Deanna L. Hammond's "The Translation Profession in the United States Today," and Wilhelm K. Weber's "Interpretation in the United States," both of which appeared in *Annals of the American Academy of Political Science*, Vol. 511 (1990). Hammond writes of the growing need for translators and how U.S. universities are responding by initiating translator and interpreter training programs. Weber, on the other hand, feels that conference interpretation has not been understood in the U.S. and that not many students are pursuing careers in this field. This is not surprising given that in the U.S. the conference market is very small compared to the judiciary.

Articles such as these are well written, often well researched, and certainly serve to publicize the profession to other constituencies: linguists, language teachers, political scientists, law enforcement officers, etc. How much longer do we need to continue publishing such articles, I don't know. What I do know is that in order to have the profession taken seriously we need to start doing and publishing "hard" research.

Moving in this direction is University of Sydney professor John Gibbon's "Applied Linguistics in Court," *Applied Linguistics*, Vol. 11, No. 3 (1990).

Although written from a court qualified expert witness point of view and not from an interpreter's, and with the intent to persuade the reader that applied linguistics is more than just linguistics applied, this article makes use not only of court case anecdotes but also of solid linguistic analysis to back up the author's points.

Gibbon outlines three types of linguistic complexity that render law enforcement English difficult, if not incomprehensible, for second language speakers and even for native speakers. He suggests a "translation" into simpler, easier to understand English and that perhaps "A legal acceptable translation of [frozen legal formulae] could be provided to legal interpreters." An example of what he means by simplification and translation is the following:

"Do you agree that prior to the commencement of this interview I told you that I intended to ask you further questions about this matter?" His suggested rewording: "I am going to ask you some more questions. Did I tell you this before?"

Although Gibbon's position that the English be simplified and a legally acceptable translation of the simpler language be given interpreters will no doubt spark controversy, his article shows with a preponderance of evidence and beyond a reasonable doubt that legal language can be extremely complicated. He dissects statements such as: "I want you to understand that you are not obliged to say anything unless you wish, but whatever you say will be recorded and may be used in evidence," and shows what makes them difficult to understand and, I would dare add, difficult to translate or interpret.

If nothing else, Gibbon proves that the job of the interpreter is highly complex. The profession can use articles such as his to ask for a well deserved pay raise!

If court interpreting is not stimulating "hard" research, related fields of study are producing findings that may serve the profession, increase the theoretical and practical knowledge the interpreter and translator need, and even improve our status and image. We will discuss some of this research next time.

[José Varela-Ibarra]

The author is editor of *Difference, Journal of the NAJIT*. He welcomes articles reporting both soft and hard research, review and opinion articles, book reviews, letters and other texts. He also appreciates receiving copies of relevant articles published elsewhere, references, books and other materials for review, and information on research in translation and interpreting in general and the judiciary context in particular. Address all correspondence to Dr. José Varela-Ibarra, University of Texas at Brownsville, 1614 Ridgely Road, Brownsville, Texas 78520, or FAX to (512) 982-0115.

NETWORKING

One tremendous benefit I receive from attending conferences is the chance to network with my colleagues so that we can talk about common problems. Why? Because chances are, someone else has already dealt with the same problem, and has come up with a creative solution that never would have occurred to me. The best tidbits I've gleaned from other interpreters have been passed on while we were talking in the hallways during breaks at conferences or local meetings.

I was pleased to participate in the 1991 NAJIT conference in Washington, D.C. on November 8-10. This gave me the chance to meet and talk with some of my east coast colleagues, three thousand miles away from my home in San Diego. Together we recounted similar challenges confronted by interpreters across the United States, and soon our battle cry became: **Let's not reinvent the wheel.** Rather, let us learn from the experiences of others, pool our collective resources and move ahead more effectively.

The following is a list of networking practices which I endorse and urge you to consider, too.

- * **Support your professional association** by attending meetings of your local chapter several times a year;
- * **Make friends with out-of-town colleagues;**
- * **Attend as many regional meetings, workshops and conferences as possible**
If you can't go, ask other colleagues to share their notes with you, or split the cost among several for one of your group to attend;
- * **Read everything relating to interpreting and translating** in newspapers, trade journals, association newsletters and academic monographs. **Make copies of articles to provide to your clients and colleagues;**
- * **Contribute items in writing;**
- * **Subscribe to an on-line computer network** such as *Compuserve*, *Prodigy* or *America OnLine*;
- * **Talk to decision makers, and**
- * **Share innovative ideas with your colleagues.** How many times have you heard, "But we've always done it this way"? **Don't accept the *status quo* if it's not working for you.** Make inquiries, educate, take risks and move forward.

[Aleé A. Alger-Robbins]

ITEMS OF INTEREST

* * *

NAJIT is planning to sponsor a Panel Discussion and a Workshop at the 1992 ATA Convention in San Diego, CA, November 4-8. All members interested in reading a paper or conducting a workshop should send an abstract by no later than February 15 to: Sara García-Rangel, 99 Harrison Avenue, Montclair, NJ 07042.

* * *

Course Announcements, Spring 1992

At the John Jay College, City U of NY, 445 West 59 St., NYC:

SPAN 341-01 INTERPRETATION TECHNIQUES: CRIMINAL AND CIVIL CASES
M, W 6:25-7:40 PM

For info call: Admissions Office, (212) 237-8865

At the CUNY Graduate Center, 33 W 42 St., NYC:

MALS U751 THE COMPUTER IN TRANSLATION
M, 6:30-8:30 PM

SPAN U780 THEORY AND PRACTICE OF TRANSLATION II: ENGLISH TO SPANISH
W, 6:30-8:30 PM

SPAN U788.08 LANGUAGE OF POLITICAL DISCOURSE
T, 6:30-8:30 PM

FRENCH U788.09 CULTURAL TRANSLATIONS: PROBLEMATICS IN COMPARATIVE STUDIES OF FRENCH AND AMERICAN CULTURES
W, 6:30-8:30 PM

FRENCH U780 THEORY AND PRACTICE OF TRANSLATION II: ENGLISH TO FRENCH
Th, 6:30-8:30 PM

PORTUGUESE U784 PROBLEMS IN TRANSLATION
Th, 6:30-8:30 PM

GERMAN U791 THE SUBSTANCE OF WRITING
T, 6:30-8:30 PM

For info call: Liberal Studies, (212) 642-2308

* * *

PROJECT ANNOUNCEMENT

We reprint below the announcement for a project to be undertaken by the National Center for State Courts, Williamsburg, Virginia. The two-year project aims ultimately to make recommendations, based on intensive research, for the improvement of interpreting and translating services in the state courts.

We wholeheartedly support any efforts made on the part of administrative bodies with access to substantial funds to promote higher standards and better quality services rendered by our profession, and will assist the project in every way possible.

However, experience has shown that professional interpreters who perform these services on a regular basis are the most knowledgeable about the needs, difficulties, demands and shortcomings on the part of both the service providers and the court administrators.

No amount of research and analysis can be very useful if it does not incorporate experienced and qualified interpreters and translators as an integral part of the project from its inception, with equal decision-making powers as the rest of the staff.

Finally, while we applaud the endeavor to put in writing what is required for the improvement of interpreting services, especially in the state courts, where as a rule the level of services is sadly below acceptable norms, we hope this project will be a step on the road to implement effectively the sorely needed training, testing, reviewing and other programs which we have been calling for all along.

COURT INTERPRETATION: A CHALLENGE FOR THE 1990's

The National Center for State Courts (NCSC) has recently received funding from the State Justice Institute (SJI) to conduct a two year study to identify, compile and develop resources that can be used by courts to improve the quality of court interpreter services. During the study an intensive search for effective court interpreter and translator service programs in the federal and state courts will be conducted, using several techniques. These will include a literature review of published documents; solicitations among the professional community for referrals to useful unpublished documents; telephone surveys of program administrators in at least nine states (NY, NJ, IL, FL, TX, NM, CO, AZ, CA); and on-site study of programs and procedures used in the federal and state trial courts in five jurisdictions. Findings will be presented in articles and a practical "how to" resource book for court managers and judges that will be made widely available to judicial leaders and court managers. Published documents produced

from the project will include:

- *A guide to documentary resources for court interpreter programs;*
- *An article describing the landscape of court interpreting in terms of the current status of demand and initiatives being undertaken by courts to meet the demand;*
- *A resource book describing effective and affordable practices, programs, technology and services;*
- *Occasional papers, as determined by the project staff and Advisory Committee, in response to specific findings.*

An eight member Advisory Committee will assist project staff in the study, in the preparation of the resource book for publication, and its wide dissemination. The project will take 24 months to complete.

NAJIT members are invited to assist in the research by notifying NCSC project staff of any written resource material (e.g., articles, papers, manuals, written procedures) that identifies and describes any practice, program, procedure or innovative approach to improving court interpretation which they believe could be effectively used to improve court interpretation practices elsewhere. Members may respond by sending a copy of the document to the NCSC at the address shown below. Examples of the kinds of information sought might include the following:

- *Finding qualified interpreters--registries, referral services*
- *Establishing standards for determining whether an interpreter is qualified for court interpretation*
- *Training court interpreters--short and long term programs*
- *Training judges and lawyers about court interpretation*
- *Managing court calendars for proceedings where interpreters are needed*
- *Use of technology*
- *Criteria used by judges or court staff to determine whether defendants are entitled to an interpreter*
- *Interpreter performance monitoring*
- *Resource sharing among courts--shared staff interpreters, referral services, training*
- *Anything someone is doing that might be useful to other interpreter office-- rural courts, you too!*

Send all information to:

*William E. Hewitt
National Center for State Courts
300 Newport Avenue
Williamsburg, Virginia 23185
(804) 253-2000*

MORE ITEMS OF INTEREST

March 25-28, 1992. Eastern Michigan University: Eleventh Annual EMU Conference on Languages and Communication for World Business and the Professions, Ypsilanti, MI

April 23-26, 1992. Havana, Cuba: Expolingua Habana '92, a foreign language fair. One of three symposia to be organized will deal with translation and interpretation. Requests for information should be addressed to Expolingua Habana '92, Comité

Organizador, Capitolio Nacional, Apartado Postal 2014, Código Postal 10200, La Habana, Cuba; tel. 60-3411 x-1266, x-1267, or x-1268; FAX (0537) 62-5604; 62-5605.

August 9-13, 1992. Cancún, Mexico: 1992 American Association of Teachers of Spanish and Portuguese Annual Meeting. The meeting includes a session on Translation and Interpretation. For information, contact: Anita Kulman, 10107 Snowden Rd., Laurel, MD 20708

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THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS AND TRANSLATORS

The object of the NAJIT is the advancement of the profession of court interpreting. All interested persons are encouraged to become members. Members receive free copies of the newsletter *Proteus*, published four times a year, and have the right to vote and participate in the activities of the Association. You are invited to join us through one of the following memberships: Individual (\$50), Student (\$20), Institution (\$125).

APPLICATION FOR MEMBERSHIP

_____ I wish to join the NAJIT

Name _____

Address _____ Telephone _____

Type of Membership _____ Annual dues \$ _____ Amount enclosed \$ _____

Please mail this form with your check or money order payable to NAJIT to:
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