



PROTEUS

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

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Winter 1997

New York, NY

NEW STUDY ON FATIGUE CONFIRMS NEED FOR WORKING IN TEAMS

Mirta Vidal

The practice of having simultaneous interpreters work in teams of two during lengthy assignments, although standard procedure in all other forums requiring interpretation, has never been universally accepted by the courts. In most state and many federal courts, it is simply not done. Attempts by interpreters to institute the policy have met with resistance from judges who consider it wasteful and administrators who cite budgetary constraints. But a study recently conducted at the University of Geneva has contributed important new information on the subject: its findings provide further scientific evidence to support the position that accuracy is directly related to the length of time that a person interprets.

The study by Barbara Moser-Mercer and her colleagues (forthcoming) at the University of Geneva's École de Traduction et d'Interprétation constitutes the first part of a two-part study on stress and fatigue in conference interpreting. Its aim is to examine the fatigue factor during extended turns, as well as the coping behavior of interpreters when under stress. The subjects—five native English-speakers working from German into English, whose professional experience ranged from 12 to 25 years in the booth—were told to work until they could no longer provide acceptable quality. During the first 30 minutes the frequency of errors—as measured with an elaborate error scale—rose steadily. The interpreters, however, “appeared to be unaware of this decline in quality,” according to the report, as most of them continued on task for another 30 minutes.

The error scale included several different categories by which quality can be determined. “Looking at the total number of errors,” the report states, “we can see that the frequency increases from three minutes to 30

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Message from the Board

Seattle Conference

In this issue we are pleased to bring you some long-awaited information about the upcoming 18th Annual NAJIT Conference in Seattle next May. This year's program is truly stellar: some of the finest minds in the profession will join forces to present a full menu of original and fascinating topics. And nothing renews the spirit like a good weekend of hanging out with colleagues from all over the country. Now is the time to make travel arrangements to come to Seattle for a meeting that you will find most rewarding. It would also be wise to register sooner rather than later and avoid possible disappointment, as we anticipate a strong turnout.

Membership Drive

This column would not be complete without another quick sermon about membership development. We all know our profession is beset with problems. A strong, powerful professional association is a necessary condition if we are to overcome these problems. NAJIT cannot acquire the necessary strength and power to have a major impact on our profession's future unless it grows. Please renew your dues if you have not done so already, and recommend NAJIT membership to a colleague. There are rewards, as mentioned in our previous issue: NAJIT T-shirts for members who recruit a new member; free Seattle conference registration for the member who recruits the most new members (see *Proteus*, Vol. V, No. 4, or <http://najit.org/memdrive.html>). If you need NAJIT brochures, contact headquarters (212-692-9581 or headquarters@najit.org). You can also join NAJIT—and register for the conference—with a credit card and a quick visit to www.najit.org. We now have an online form that encrypts credit card data, making your transaction fully secure.

Whose NAJIT is it?

As one of the leaders of this organization, I have long been concerned about NAJIT's tendency to focus dis-

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Send submissions in electronic format either on diskette or via e-mail to proteus@najit.org, addressed to Dagoberto Orrantia, Editor, *Proteus*, Department of Foreign Languages, John Jay College, 445 West 59th St., New York, NY 10019. All submissions subject to editorial review. Deadlines: Spring issue, March 1; Summer issue, June 1; Fall issue, September 1; Winter issue, December 1. Annual subscription rate: \$16.00

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All opinions expressed in the articles are those of the authors.

Message

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proportionate attention on the Spanish language and the federal courts. Fully 23% of NAJIT members do not list Spanish as one of their working languages—a substantial minority. The reasons for this Spanish- and federal-centricity are fairly obvious: Spanish is the language used at least 90% of the times an interpreter is required in courts nationwide; and it is natural for a national association to concentrate on the federal system, where interpreters coast to coast share a common set of statutes, procedures, vocabulary, etc. But that doesn't make it O.K. We ought to devote more attention to the state and municipal courts, and to those languages that are sometimes called OTS—other than Spanish. The fact that Daok Lee, a relatively unknown Korean interpreter, garnered a respectable share of the votes cast in our last election leads me to speculate that many members share this sentiment. But the imbalance will only be corrected, in my view, if you non-federal and non-Spanish interpreters make it happen: write articles for *Proteus*, make a presentation at a NAJIT meeting, keep running candidates for the Board of Directors—in short, become more actively involved in the affairs of the Association.

David Mintz
Chair, Board of Directors

Report of the Election Committee

Dena K. Millman, Chair

On December 16, 1996, each member in good standing of NAJIT was mailed a secret ballot for the election of two members of the Board of Directors, to serve two-year terms, along with biographical information about the three candidates for office. The ballots were to be returned postmarked not later than January 15, 1997. A total of 229 ballots were returned, of which 204 were valid. Of the 25 invalid ballots, 9 were unsigned and 16 were past the due date. The 197 valid ballots tallied as follows:

Dagoberto Orrantia: 173
David Mintz: 171
Daok Lee: 51

NAJIT extends its gratitude to Daok Lee for her willingness to serve, and congratulates the new members of the Board.

OPEN LETTER TO LYDIA PELEGRIN

January 27, 1997

Lydia Pelegrin
Chief, District Court Administration Division
Administrative Office of the U.S. Courts
Washington, D.C. 20544

Dear Ms. Pelegrin:

I would like to thank you for your presentation at the recent Workshop for Federal Court Interpreters that the Federal Judicial Center hosted in Albuquerque. You did an admirable job of facing an audience of angry and frustrated interpreters who feel that your office is not doing enough to remedy the serious problems that affect interpreting services in the federal courts. I believe it became evident to most of us that there is nothing to be gained by continuing to berate you, and that we must seek other avenues through which to address our problems while continuing to maintain communication with your office.

At the same time, I would like to reiterate NAJIT's position on compensation for contract interpreters. As you are aware, the Court Interpreters Advisory Subgroup has decided—according to the minutes of its December 13 teleconference—that there is “no need” for an increase in the per diem rate, which has remained at the same level since March 1991. (I serve on the Subgroup, but was unable to attend that meeting because I was in court.) The reason cited was that few courts report difficulty in finding contract interpreters willing to accept that rate of remuneration. The short-sighted, one-sided logic underlying the pronouncement that there is “no need” for an increase makes it painfully clear that the so-called Court Interpreters Advisory Subgroup does not represent the interests of interpreters. I assume that the moral argument that an increase is the right thing to do for a hard-working group of professionals carries no weight at all. I likewise assume that you would dismiss as irrelevant the point that if it were the Subgroup members' income that had been frozen for the past six years, they would surely disagree with the assertion that there was “no need” for a raise. I would therefore cite just one of the many compelling arguments in favor of recommending an increase: compensation is a vital component of working conditions, and if eroding wages make these conditions untenable, the overall pool of interpreting talent will be diminished as interpreters leave the field, to the detriment of the quantity and quality of the contract workforce, and the interests of justice served thereby.

NAJIT condemns the Subgroup's decision in the strongest possible terms.

Respectfully,



David Mintz
Chair, NAJIT Board of Directors

NEW STUDY CONFIRMS NEED FOR TEAM INTERPRETING

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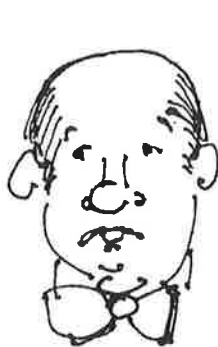
minutes." The category of *most serious errors*, i.e., errors in meaning, rose consistently with increased time on task. At 60 minutes, all subjects combined committed a total of 32.5 meaning errors. "Considering that each meaning error, no matter how minor, does distort the message, a considerable increase in the number of meaning errors after 30 minutes on task does represent a significant decline in output quality," the authors argue. In the category of *nonsense*, the number of errors committed by the subjects almost doubled after 30 minutes on task—from 4.5 after 15 minutes to 8.5.

Moser-Mercer and her colleagues conclude:

The increase in the number of meaning errors combined with the interpreters' lack of awareness of this drastic decrease in quality shed some light on

the validity of interpreters' judgement of their own output quality [...] This lack of judgement appears to be the result of cognitive overload: a situation in which the interpreter tries to economize on processing capacity and allocate resources only to those parts of the interpreting process that will ensure continuous output (irrespective of the quality provided) [...] We can conclude from this that shorter turns do indeed preserve a high level of quality, but that interpreters cannot necessarily be trusted to make the right decision with regard to optimum time on task.

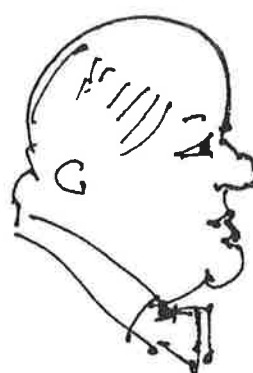
This is an important insight, since many interpreters, fearful of not getting work or of exposing what is erroneously perceived as a weakness, will insist that they



NO WAGE HIKE
IN 5½ YEARS



NOT EVEN A
COST OF LIVING
INCREASE



BUYING POWER
DOWN BY 17%
WORKING WITHOUT
RELIEF



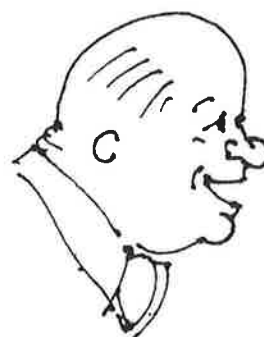
NO TIME AND A HALF
FOR OVERTIME AND
WEEKENDS
CANCELLATIONS WITHOUT
COMPENSATION



NO GROUP HEALTH
INSURANCE
NO BENEFITS



NO PENSION PLAN



LOOK AT THE
BRIGHT SIDE —
WE'RE WINNING THE
"WAR AGAINST DRUGS"



Drawing by Nicholas Luttinger © 1997

can work for extended periods of time without any adverse consequences to accuracy. It also shows that some courts beg the question: if interpreters themselves are unable to judge the length of time beyond which the quality of their performance declines significantly, how can anyone else have the power to decide how long an interpreter should work without relief?

An additional conclusion reached by the University of Geneva team concerned the subjects' emotional response to increased time on task. "Interpreters seem to experience an increase in stress during the first 30 minutes, as indicated by a rise in cortisol levels, but with task overload respond with an 'I couldn't care less' feeling," they report, adding: "This is borne out by anecdotal evidence according to which interpreters try to deflect responsibility for the quality of output when they consider the demands to be unrealistic; this would include increased time on task, extremely fast speakers, and long working hours." Every court interpreter, no matter how experienced, would undoubtedly corroborate this finding.

Stress investigated among UN interpreters

H. McIlvaine Parsons, a fellow at the Institute for Behavioral Research, In Silver Spring, MD, reached similar conclusions in a consultation he conducted in 1975 for the United Nations. The study was part of an investigation that followed a job action in which UN interpreters stayed away from their jobs for one day to protest "working hours and the stress and tension they said resulted from working more than seven half-day sessions per week." McIlvaine Parson's objective was in part to "create a wider understanding than there seemed to be of the interpretation process. If some of these factors could be ameliorated," he argues, "the interpreters might experience less stress and tension and they might be less likely to avoid that stress and tension by failing to come to work."

McIlvaine Parsons reported that "the interpreters were emphatic that more than three hours in a booth [taking turns with a colleague] resulted in excessive stress and tension, especially compared with a shorter time." Other factors rated by the subjects as stressful or extremely stressful included: the speaker talking very fast, lack of clarity or coherence by the speaker, the need for intense concentration, inexperience with the subject matter, a speaker's accent, long speaker utterances between pauses, background noise in the meeting room, and mispositioning of the speaker's microphone relative to the speaker. All of these would be equally applicable to court interpreters.

As a result of his study, McIlvaine Parsons recommended to the UN Secretariat "that a simultaneous interpreter should not be required to work more than three half-day sessions in succession." It should be borne in mind that UN interpreters work in teams of two at all times.

Skeptics might be inclined to argue that these studies do not refer specifically to interpreters who work in court and are therefore not applicable to this sector. A comparison of court and conference interpreting, however, can easily demonstrate that the former is in fact more demanding and stressful than the latter.

What is fatigue?

Although the definition of the word fatigue seems obvious, there is considerable confusion among the general public and the legal profession about its meaning and consequences in a courtroom setting. Fatigue for interpreters is not primarily physical, as in the case of athletes, whose muscles become strained after sustained exertion: it is mental fatigue. It results from complex mental processing and the high degree of concentration the interpreter must have to hear, then understand, analyze and finally express ideas coherently in another language. "Most people do not realize that an interpreter uses at least 22 cognitive skills when interpreting," states Patricia Michelsen in an article published in *The Court Management and Administration Report*. Other studies of simultaneous interpretation have shown that fatigue is exacerbated by environmental factors that interfere with various aspects of the cognitive process.

Taking into consideration both cognitive processes and environmental interference, the degree of concentration required of an interpreter is many times greater than that of any other person in a courtroom. In a 1995 study on fidelity assessment in consecutive interpretation, Daniel Gile reports that a group of subjects asked to rate an interpretation "were found to be unreliable fidelity assessors: they did not detect all interpretation errors on the one hand, and imagined errors that had not been made by the interpreter on the other." This is not surprising to interpretation teachers, according to Gile, since "ordinary listening entails too much loss, and [...] interpreters have to listen to speakers with much more concentration than is usual in everyday life."

While conference interpreters must cope with the stress generated by the job's cognitive demands, their booth-enclosed environment is relatively stress-free compared to a courtroom setting. As Michelsen indicates, "Conference interpreters work under better conditions: they concentrate on only one speaker at a

time, often have a prepared text of the speech ahead of time, address the audience in only one level of rhetoric, and usually do not have audibility problems."

Environmental factors and loss of accuracy

Audibility is one of the key factors contributing to the stress suffered by court interpreters. In 1974, an enlightening study on the effects of noise on the performance of simultaneous interpreters was conducted by David Gerver, then at the University of Durham, Great Britain. He found that, as the listening conditions deteriorated, significantly more errors were committed by the subjects when interpreting than when shadowing (repeating a spoken text in the same language).

This finding, according to Gerver, "suggested that difficulty in perceiving source language passages reduced the ability of simultaneous interpreters to monitor their own interpretations into the target language." He added that other studies indicated that "levels of noise which would not necessarily impair perception of speech by simultaneous conference interpreters could interfere with the processes involved in the retrieval and transformation of the messages being interpreted." Listening conditions are most relevant to any discussion of interpreter stress and fatigue. Since monitoring their own utterances and making corrections is one of the many cognitive functions performed by interpreters, if their ability to self-correct is impaired, their level of stress and resulting fatigue also increase proportionately. "It is perhaps not surprising," Gerver comments, "that simultaneous interpreters are particularly sensitive to environmental noise and that they will often refuse to work in conditions which, to the observer at least, do not appear particularly stressful."

While Gerver's study was conducted with a monitored increase in noise level, the same conclusions would apply to a situation in which the interpreter is simply unable to hear, as too often occurs in the courtroom. Given that acoustic impairments cause conference interpreters stress and fatigue, we can safely conclude that court interpreters are at a distinctly greater disadvantage acoustically, and therefore subjected to even more severe stress. Unlike conference interpreters, who work in soundproof booths and hear the sound through headphones connected to a stationary microphone, court interpreters hear telegraphic, often-interrupted messages from speakers distributed throughout the courtroom. Although many courts have microphones, they are not multi-directional and often distort the sound more than they amplify it. The interpreter must then filter this message through myriad

other noises polluting the audible space, such as telephones ringing, jurors coughing, babies crying in the gallery, and so on.

The best kept secret in the courtroom may well be that interpreters are often unable to hear what they are expected to interpret. When interpreting simultaneously into a microphone, they are invariably made to position themselves at the point furthest away from the witness stand, so as not to disturb jurors and those testifying. When no simultaneous equipment is available, the interpreter is obliged to sit next to the defendant—the hardest place from which to hear the proceedings. (By contrast, court reporters are granted the choice spot in the well of the courtroom to maximize their ability to hear every word uttered.) Moreover, no one seems to realize that the interpreter's hearing is further obstructed by the sound of his or her own voice overlapping the original speaker's at all times, creating an additional acoustical impediment.

The bolder or more experienced interpreters will interrupt to insist that the parties speak up or rearrange themselves to improve audibility. But courtroom atmospheres are not always conducive to intransigence on the part of someone who is supposed to be invisible and unobtrusive, and even well-meaning judges and court clerks often have little or no control over antiquated sound systems or acoustically faulty architecture.

All of the factors found by the various studies described here to be major causes of conference interpreter stress and fatigue—acoustics, prolonged periods on task, lack of familiarity with relevant terminology, excessively fast or incoherent speakers, etc.—are in fact more applicable to interpreters in court than in any other setting. Moreover, judiciary interpreters have the additional pressure of knowing that nothing less than the life and liberty of human beings are at stake in the proceedings they are called upon to duplicate in a defendant's native tongue. The awareness that each word mistranslated or omitted hinders the non-English speakers' ability to follow the proceedings against them is a constant source of tension. Whereas the conference setting allows for much more flexibility, interpreting in court requires greater precision, since a complete and faithful rendition must include hesitations, false starts, repetitions and inaccuracies. It follows then that judiciary interpreters face more demanding and stressful working conditions than their counterparts elsewhere.

Studies corroborate empirical evidence

While these studies make an important contribution to the body of scientific data needed for a better under-

standing of the interpreting process and its complexities, they merely corroborate what practicing interpreters have known and argued all along: that work quality—i.e., accuracy and coherence—begins to deteriorate after approximately 30 minutes of sustained simultaneous interpreting, and that the only way to ensure a faithful rendition of legal proceedings is to provide interpreters with adequate relief at approximately half-hour intervals.

Conscientious administrators in several federal courts, the United Nations and the U.S. State Department recognized the need for tandem interpreting and adopted the practice early on. Team interpreting, in fact, dates back to the Nuremberg trials. At the State Department, which according to Harry Obst, Director of the Office of Language Services, handles 200 to 300 interpreting missions in 100 different locations per day, it is considered an inviolable policy. In response to a request from Ed Baca of the Administrative Office of the U.S. Courts, Obst pointed out that "The policy on simultaneous interpreters is simple and corresponds to that of all other responsible interpreting services in the entire world (United Nations, European Commission, International Red Cross, International Court of Justice, foreign ministries in other nations.) No individual simultaneous interpreter is allowed to work for more than 30 minutes at a time." The letter continues, "This is also done for the protection of the users. After 30 minutes the accuracy and completeness of simultaneous interpreters decrease precipitously, falling off by about 10% every 5 minutes after holding a satisfactory plateau for half an hour." The reason, Obst explains, is that "The human mind cannot hold the needed level of focused concentration any longer than that. This fact has been demonstrated in millions of hours of simultaneous interpretation around the world since 1948. It is not a question of opinion. It is simply the result of empirical observation."

Echoing the results of the University of Geneva study, Obst adds that although some interpreters believe they can interpret longer than that, they do so because after 30 minutes "they can no longer differentiate between interpreting the original message or just babbling in the target language. Their mind is too tired to evaluate their own performance." The policy on the part of court administrators that interpreters work for an hour or more without relief, says Obst, "makes sense only in budgetary terms. It makes reliable interpreting impossible and denies the client who has to rely on the interpreter the due process that every person is entitled to under our laws."

And that is precisely the point. Unlike their colleagues in any other sector, judiciary interpreters are placed under oath to "truly and accurately interpret" the proceedings. Accuracy in a legal context is not an academic concept or an abstraction that can be quantified in relative terms. It is the cornerstone that guarantees limited-English litigants equality under the law. That was the spirit of the Court Interpreters Act enacted in 1978. It is also the spirit of the Code of Professional Responsibility drafted by the Administrative Office of the U.S. Courts, which compels interpreters to "fulfill a special duty to interpret accurately and faithfully" and "perform to the best of their ability to assure due process for the parties" and "refuse any assignment [...] under conditions which substantially impair their effectiveness." If interpreters are to be expected to comply with these canons, they will need the full support of administrators in both the state and federal courts, who will place due process considerations above the temptation to trim their budgets at the expense of those who come before the bar of justice.

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18th Annual NAJIT Meeting and Educational Conference

Embassy Suites Sea-Tac Hotel, Seattle, Washington, May 15-18, 1997

PRELIMINARY PROGRAM

PRECONFERENCE WORKSHOPS

THURSDAY, MAY 15

2:00-5:00 CONSECUTIVE INTERPRETING. Janis Palma.

FRIDAY, MAY 16

9:00-12:00 LEGAL INTERPRETATION ISSUES IN NON-EUROPEAN LANGUAGES AND CULTURES: SIMILARITIES AND DIFFERENCES WITH TRADITIONAL WESTERN NORMS. Georganne Weller.

12:00-1:15 LUNCHEON

2:00-5:00 SIGHT TRANSLATION. Linda Haughton.

CONFERENCE

5:45-10:45 OPENING RECEPTION. BOAT TRIP, DINNER, ENTERTAINMENT. Harbor cruise, reception & dinner at Tillicum Village on Blake Island.

SATURDAY, MAY 17

8:30-9:15 WELCOMING SESSION. David Mintz, Chair, NAJIT Board of Directors. Keynote speaker: Joanne Moore, Esq.

9:30-10:45 TRANSLATING POPULAR AND FIGURATIVE LANGUAGE: REPORT ON A TRANSLATION RESEARCH PROJECT OF INTEREST TO INTERPRETERS. Marshall Morris. Spanish-specific.

PREINTERPRETATION EXERCISES: THE PARTS BEFORE THE WHOLE. Nancy Schweda-Nicholson. Language-neutral.

SIMULTANEOUS INTERPRETATION: THEORY AND QUANTITATIVE MEASUREMENTS; STRATEGIES AND PRAXIS. Alexander Rainof. Language-neutral

11:00-12:15 WHAT YOU SEE... IS WHAT YOU HEAR? THE HIDDEN MESSAGES OF DISCOURSE. Janis Palma. Language-neutral

THE TRANSLATORS AND INTERPRETERS GUILD (TTIG). Speaker TBA. .

THE PRAGMATICS OF QUESTION/ANSWER STRUCTURES IN A BILINGUAL COURTROOM. Azucena C. Rigney. Language-neutral.

12:30-2:00 LUNCHEON

2:00-2:30 EXHIBITS BREAK

2:30-3:45 TRAINING OF RELAY INTERPRETERS IN INDIGENOUS LANGUAGES. Holly M. Mikkelsen. Language-neutral.

THE MASTER OF ARTS PROGRAM IN BILINGUAL LEGAL INTERPRETING AT THE UNIVERSITY OF CHARLESTON. Virginia Benmaman. Language-neutral.

PRAGMATIC ALTERATIONS IN THE INTERPRETATION OF WITNESS-STAND TESTIMONY. Maria Cristina Castro. Language-neutral.

4:00-5:30 PANEL DISCUSSION: INTERPRETER TESTING AND CERTIFICATION. Moderator: Sandra Morra. Panelists: William Hewitt, Roseann Dueñas González, Ellen Bienstock. Language-neutral.

SUNDAY, MAY 18

9:30-10:45 COURT INTERPRETING IN SPAIN: LEGAL FOUNDATIONS AND PROFESSIONAL ISSUES. Cynthia Miguelez. Language-neutral.

INTERPRETED DIALOG: ALTERNATE FORM OF COMMUNICATION OR *CRIMEN CONTRA NATURAM*? Fritz G. Hensey. Language-neutral

SOCIETY OF TRANSLATORS AND INTERPRETERS OF BRITISH COLUMBIA Speaker and topic TBA. Language-neutral.

11:00-12:15 PANEL DISCUSSION: COURT INTERPRETER ETHICS AND PROTOCOL. Panelists TBA. Language-neutral.

TRANSLATORS, INTERPRETERS, AND THE WEB. Jose Varela-Ibarra. Language-neutral.

12:30-2:30 LUNCHEON AND OPEN MIKE

2:30-5:30 NAJIT ANNUAL MEETING.

FEES

Preconference Workshops (each): Members, \$50;
Nonmembers, \$65

Luncheon on Friday, May 16 (between Weller and
Haughton Workshops): \$17.50

Conference (includes Friday night reception, cruise,
dinner, entertainment; all sessions Saturday and Sun-
day; transportation to and from downtown Seattle on
Saturday evening; luncheons, breaks, annual meeting):
Members, \$210; Nonmembers, \$240

Spouse or Guest Package: \$117

Day Guest Package (full breakfast and open bar, for
registrants who are not lodged at the hotel): \$25/day

LODGING

Hotel registration includes custom-cooked breakfast
each morning and complimentary open bar from 5:30
to 7:30 each evening. To make your reservation,
please call the hotel directly at 206-227-8844 and ask

for reservations, or fax 206-227-9567. Please note:
*You must state that you are with the NAJIT Confer-
ence.* Check-in time is 4 p.m.; check-out time is 12
noon. Please make your reservation not later than
Tuesday, April 22. Hotel rooms cannot be guaranteed
after that date.

California Judicial Council Court Interpreters Advi-
sory Panel CEUs have been applied for. Direct ques-
tions about CEU credit to Marianne Prippts-Huertas
(tel 510-796-8421; fax 510-796-7724).

REGISTRATION

Preregistration is required for all Preconference Work-
shops; no on-site registrations will be accepted. On-
site registration for the Conference will be accepted as
space permits. We regret that we cannot guarantee
sufficient materials or food for on-site registrants.

Complete conference information and registration
forms are on their way to all NAJIT members. You
can also get conference information by sending a
blank e-mail message to conference-info@najit.org, or
by visiting the NAJIT Web site (www.najit.org),
where you can register online with a credit card.

Position Available

Court Interpreter (American Sign Language)

The New York State Unified Court System has full-time openings for Court Interpreters (Sign) in the New York City Courts. Applicants must be proficient in both ASL and English and be able to accurately interpret oral and sign exchanges in simultaneous, consecutive and sight modes, and must possess the RID (Registry of Interpreters for the Deaf) Certificate of Interpretation. Starting salary is \$33,986 per annum, and benefits include 20 days paid vacation plus one additional day per year up to a maximum of 27 days, 13 days sick leave per year, 12 holidays, plus medical and dental insurance and participation in the New York State pension system. Send resume to:

Michael Miller
Deputy Director of Human Resources for Personnel
NYS Office of Court Administration
270 Broadway, Room 1313
New York, NY 10007

NOTE: RID-certified sign interpreters are also hired on a per diem basis at \$110/session (4 hours or less) to a maximum of 2 sessions per day.

FJC Workshop for Federal Court Interpreters

Nancy Festinger

The anatomy of the profession was laid bare recently when the Court Education Division of the Federal Judicial Center sponsored a two-day workshop for court interpreters in Albuquerque, New Mexico. About 125 staff and freelance interpreters from all over the country attended. The last opportunity to share information in a forum of this kind was in 1993, and they clearly relished the occasion to report from far-flung precincts and receive updates on national trends and issues.

In Puerto Rico, staff interpreters are routinely directed by their judges to cover civil cases, although they receive no extra compensation for it. In Texas, a Chief Judge sees no reason to authorize a computer for a staff interpreter who prepares translations. In Arizona, it is not unusual for interpreters to cover upwards of 50 matters daily. In California, a new, easy-to-use Windows-based program calculates interpreter workload statistics. In North Dakota, the Clerk insisted that a non-certified interpreter be used in court because it was more cost-effective. In some courts, interpreter rotation is considered an unseemly luxury. Compliance with the Court Interpreters Act is far from uniform in the district courts across the country, but the Administrative Office has no enforcement authority. And, by the way, recently the Administrative Office's Court Interpreters Advisory Subgroup recommended that per diem rates remain stagnant.

It will soon be twenty years since the Court Interpreters Act became law, but as the stories above reveal, each district continues to be a world unto itself. Still, court interpreters are united in their desire to communicate the excitements and frustrations of their work in the legal arena.

The agenda was developed in response to interpreter requests and reflected the interdisciplinary nature of the profession. A statistician from the U.S. Census Bureau did a detailed presentation of population trends; an attorney with the AO's Office of Legislative Affairs pointed out recent and upcoming legislation that may have an impact on the courts' caseloads (for a copy of his handout, contact NAJIT headquarters); a linguist highlighted sixteen interpreters whose interaction with conquerors, historians, anthropologists or priests played a key role in cultural history. Here were also roll-up-your-sleeves sessions on note-taking, telephone

interpreting and videoconferencing; a panel on concerns common to judges, attorneys, court personnel and interpreters; an update on the status of the interpreting program from the AO; a session on the Internet and other terminology resources; a dynamic demonstration by interpreters for the deaf; and last but not least, separate small group discussions for staff and freelancers, with subsequent reports to the full group on a variety of professional issues such as working conditions, continuing education, networking, and freelance interpreter concerns.

It was a working weekend with a fast-paced agenda that kept everyone moving.

Among the points about which consensus was reached: the time has come for more focused judge and attorney training on interpreter issues; more should be done to bring all district courts into compliance with the Court Interpreters Act; staff interpreter offices would benefit from the capacity to share terminology files electronically; interpreting for the deaf raises many new issues for interpreter coordinators, not the least of which is understanding the diversity of the deaf community; computer support and training is essential for staff offices; and continuing education is a must for interpreters' professional development and should be encouraged by the courts.

The meeting ended with renewed commitments among staff offices to keep in touch. A prolonged standing ovation attested to the participants' gratitude for the FJC's superb organization of this long-overdue national meeting. ■

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Albuquerque Resolution on Team Interpreting

Sixty-two interpreters at the Albuquerque meeting in January signed the following resolution, which has been mailed to Lydia Pelegrin of the District Court Administration Division, Administrative Office of the U.S. Courts

A Resolution

adopted by the undersigned participants in the Federal Court Interpreters Workshop sponsored by the Federal Judicial Center, January 18-19, 1997.

Whereas, the Code of Professional Responsibility drafted by the Administrative Office of the U.S. Courts compels interpreters to interpret accurately and faithfully; and

Whereas, said code also compels interpreters to perform to the best of their ability to ensure due process for the parties; and

Whereas, said code further compels interpreters to refuse any assignment under conditions which substantially impair their effectiveness; and

Whereas, each word mistranslated or omitted hinders non-English-speaking defendants' ability to follow the proceedings against them, thus placing them at a disadvantage before the bar of justice; and

Whereas, scientific studies have shown that interpreting involves extremely complex cognitive processes that require a high degree of concentration, and that accuracy decreases markedly after approximately one half hour of sustained interpreting; and

Whereas, it is impossible to ensure a faithful rendition of the proceedings unless interpreters are provided with adequate relief; and

Whereas, entities such as the State Department, the United Nations Organization, the European Commission, the International Red Cross and the International Court of Justice recognize that interpreters cannot guarantee accuracy unless they work in teams; and

Whereas, the Administrative Office of the U.S. Courts is charged with the responsibility of providing adequate interpreting services;

Therefore, be it resolved: that we, the undersigned court interpreters, abiding by our sworn duty to interpret faithfully, accurately and completely, reaffirm the position that interpreting in teams is essential in order to guarantee the due process rights of litigants, and we urge the Administrative Office of the U.S. Courts to adopt the policy that adequate relief through team interpreting must be provided for any proceeding expected to last more than thirty minutes, and to undertake to inform judges, court clerks and other administrators of the compelling reasons for this policy and the need to implement it.

ANOTHER MEMBER SERVICE

NAJIT is pleased to announce that professional liability insurance coverage is now available to NAJIT members through Cynthia K. Hoffman & Associates. This policy, underwritten by Cigna, was designed at our request, due to the growing need for this coverage among our members. For more information, please call 800-743-6385.

POSITION AVAILABLE Court Interpreter (Spanish/English)

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Viva la Diferencia

Richard Palmer

When one whose mother tongue is English learns a new language, especially one of the romance group, there are moments when one is drawn up short by what seems like a strange use of certain cognates. I remember the impression when a Spanish-speaking friend told me that a sheet of paper I had given him was very *ordinario*. He seemed displeased, and I had difficulty understanding how anyone could feel that way about ordinary paper. I later heard the word *ordinaria* used in reference to a woman, with an accompanying facial gesture of displeasure, and realized that the word had a special meaning in Spanish which it did not have in English.

It was quite easy to find in the dictionary, and it turned out to be "coarse or vulgar" in the case of the woman, so I figured out on my own why the ordinary paper had not gone over well.

I remember another occasion on which a Venezuelan friend told me that certain bracelets had become very *vulgares* in his country. I saw nothing vulgar about them and besides, they were quite expensive. What he meant was "very popular" or "commonplace." This new meaning for words which were spelled almost exactly the same in English gave me a feeling of enrichment in Spanish; however, I realized that I had to be careful not

to expect the words to convey these meanings in English.

We all know that Anglicisms abound in Spanish, and not only in New York and Los Angeles. They have entered speech in every country, and their use is increasing dramatically. This, however, should not give us an excuse to be lazy and forget the subtle shades of meaning in the languages with which we work. Neither should we be so close-minded as to reject all Anglicisms out of hand, but rather, I suggest we try to understand which ones have become acceptable by educated speakers. There is a tendency among English-native Spanish interpreters to have preferred countries where Spanish is spoken. Therefore, if a word is used in that country, it automatically receives in their mind full accreditation. Such selectivity is misguided and should be avoided, for no single Spanish-speaking country has a monopoly on "good Spanish."

The following is the first installment in a list of Spanish words which often have several meanings in common with the English cognate, but also have something extra which brings one up short when hearing it for the first time.

COGNADOS FALSOS

abusar

Al pedirme un préstamo tan exorbitante, abusó de mi amistad.

"Upon asking me for such an exorbitant loan, he took unfair advantage of my friendship."

acomodación

Para que el inmigrante se asimile a la nueva cultura, tiene que haber cierta acomodación de costumbres.

"In order for the immigrant to become assimilated into the new culture, there must be a certain adaptation to customs."

actual

Mi cargo actual es el de gerente de ventas.

"My present position is that of sales manager."

adecuado

Ese vestido no es adecuado para una fiesta de gala.

"That dress is not suitable for a formal party."

abuse

"He abused his wife and children for years before he was arrested."

El maltrató a su esposa e hijos durante años antes de que lo arrestaran.

acomodation

"We will have to find accommodations elsewhere because this hotel is booked.

Tendremos que encontrar hospedaje en otro lugar porque este hotel está completo.

actual

"There have been so many discounts that I do not know the actual price of that item."

Ha habido tantas rebajas que no sé el precio verdadero de ese artículo.

adequate

"We have adequate reserves of coal for the winter."

Tenemos suficientes reservas de carbón para el invierno.

adicto

Los adictos al presidente lo esperaron en la escalinata del Palacio de Justicia.

"The president's followers waited for him on the courthouse staircase."

afección

Mario padece de una afección pulmonar congénita.

"Mario suffers from a congenital lung disease."

afluente

Ese río es uno de los afluentes del Amazonas.

"That river is one of the tributaries of the Amazon."

agenda

Al narcotraficante se le quitó una agenda donde figuraba el nombre de un senador muy famoso.

"An address book containing the name of a famous senator was taken from the drug dealer."

adepto

Muchos adeptos del partido comunista se sienten hoy día confundidos por los acontecimientos recientes.

"Many followers of the communist party feel confused nowadays by recent events."

agonizar

Hace varios días que está agonizando y ayer los médicos lo desahuciaron.

"He has been dying for several days and yesterday the doctors gave him up."

alienación

Su alienación mental comenzó a manifestarse a raíz del divorcio.

"His derangement began to show immediately after the divorce."

alumno

Los alumnos de la escuela primaria ensayan una opereta.

"The grade school pupils are rehearsing an operetta."

anticipar

Vamos a anticipar las vacaciones para estar de vuelta antes de que empiecen las eliminatorias.

"We are going to take our vacation early so as to be back before the playoffs begin."

apertura

La apertura de la temporada operística fue motivo de gran alegría para Carlos.

"The opening of the opera season was a joyous occasion for Charles."

aplicación

Si el laboratorista trabajara con más aplicación, los

addict

"The problem of drug addicts is constantly growing throughout the world."

El problema de los toxicómanos va en aumento a través del mundo entero.

affection

"Parents should always show a great deal of affection for their children."

Los padres siempre deben mostrarles mucho afecto a los hijos.

affluent

"The Rockefeller family is one of the most affluent in the United States."

La familia Rockefeller es una de las más acaudaladas de los Estados Unidos.

agenda

"Economic aid for the Third World is number one on the assembly's agenda."

La ayuda económica para el Tercer Mundo ocupa el primer lugar en el temario de la asamblea.

adept

"John is very adept at repairing broken down cars."

Juan es muy hábil para reparar los carros descompuestos.

agonize

"She has been agonizing for a long time over the loss of her fiancé."

Hace mucho tiempo que se atormenta por la pérdida de su prometido.

alienation

"His alienation from his friends was only the beginning of his complete decadence."

El alejamiento de sus amigos no fue más que el principio de su decadencia total.

alumnus

"I am an alumnus of the University of Pittsburgh."

Yo me gradué en la Universidad de Pittsburgh.

anticipate

"We did not anticipate that so many foreigners would take part in the Olympic competitions."

No esperábamos que tantos extranjeros participasen en las competiciones olímpicas.

aperture

"This tiny aperture in the back of the camera allows you to see more clearly."

Esta pequeña abertura en la parte trasera de la cámara le permite ver con más claridad.

application

"They have sent job applications to three different

análisis ya estarían listos.

"If the lab technician were more industrious, the analyses would already be finished."

atender

Atiéndeme que te estoy hablando.

"Listen to me. I'm talking to you."

apología

En lugar de condenar la política de la compañía, el obrero hizo una apología de la misma.

"Instead of condemning company policy, the worker made a statement in support of it."

apta

Esta película ha sido declarada no apta para menores.

"This film has been declared unsuitable for minors."

archivo

El jefe le ordenó que sacara la carpeta del archivo.

"The boss ordered him to remove the folder from the file."

argumento

Es sumamente difícil seguir el argumento de esa novela por su estilo caótico.

"It is extremely difficult to follow the plot of that novel because of its jumbled style."

artista

Toda la vida había aspirado a ser artista para oír los aplausos del público.

"All her life she had wanted to be an actress and hear the applause of the audience."

asaltar

Asaltaron al anciano en el parque a punta de pistola.

"The old man was held up at gunpoint in the park."

ascendencia

Ese cantante es de ascendencia noruega.

"That singer is of Norwegian descent."

aspirar

Los fumadores empedernidos aspiran el humo con mucha fruición.

"Inveterate smokers inhale the smoke with great delight."

atenuante

El juez le impuso una sentencia leve al acusado debido a ciertas circunstancias atenuantes.

"The judge gave the defendant a light sentence because of certain extenuating circumstances."

companies to no avail."

Han enviado solicitudes de trabajo a tres empresas distintas sin resultado alguno.

attend

"I do not plan to attend the lecture this afternoon."

No pienso asistir a la conferencia esta tarde.

apology

"The president made an apology to the workers for having accused them of shirking their responsibilities."

El presidente les pidió disculpas a los trabajadores por haberlos acusado de rehuir sus responsabilidades.

apt

"He is apt to think that you do not want to see him."

Es probable que él piense que no lo quieres ver.

archive

"Since those documents are no longer active, they can only be found in the archives in the basement."

Puesto que esos documentos ya no están activos, se pueden encontrar únicamente en los archivos del sótano.

argument

"The man and his wife had a very heated argument regarding the discipline of the child."

El señor y su esposa tuvieron una discusión muy acalorada acerca de la disciplina de la criatura.

artist

"One of the most famous Spanish artists is Goya."

Uno de los pintores más famosos de España es Goya.

assault

"The truck driver was taken to the precinct and charged with assault."

Al camionero se le llevó a la jefatura donde se le acusó de agresión.

ascendancy

"The regent had a powerful ascendancy over the young prince."

El regente tenía un ascendiente poderoso sobre el joven príncipe.

aspire

"He aspires to be more than a simple office clerk."

El ambiciona ser más que un simple oficinista.

attenuating

"The vaccine will have an attenuating effect on the virulence of the disease."

La vacuna disminuirá el efecto virulento de la enfermedad.

LETTERS

Interpreted proceedings should be recorded

Yvonne Fowler's most interesting paper on the role of the courtroom interpreter [Summer 1996] states, "In a monolingual courtroom the proceedings can be monitored. In the bilingual courtroom they cannot."

This assertion is debatable. Fowler's references to magistrates' concerns about interpreters were most probably taken from situations in which the consecutive interpreting mode was being used ("Many magistrates [...] could cite instances of where utterances had been significantly reduced or lengthened by the interpreter."). Clearly, there is a way to monitor the quality of consecutive interpreting in the bilingual courtroom: tape recording.

There is no question that tape recording both the English and foreign language is technically feasible. In certain federal courts where tape recording was used in lieu of court reporters, I was able to get the tapes of my interpretation.

Imagine the benefits of having the interpretation taped. Defendants everywhere would have the opportunity to demonstrate that the interpretation of a key part of the testimony was flawed. Inexact interpretation, proved by comparing the English and foreign language transcripts, could furnish the grounds for a successful appeal.

And this, say some lawyers, is also one of the potential pitfalls. Defense attorneys might start routinely to hire checking interpreters to pore over transcripts, and in true Monday-morning-quarterbacking fashion, ferret out errors. There would be a big demand for "interpreter experts," and transcription companies specializing in foreign languages would be in great demand. Costs would spiral.

I remember a lawyer in federal court in Puerto Rico saying that it is not unusual there for everyone in the courtroom to know both languages, putting the interpreter under tremendous pressure, because the judge, attorneys, jury and audience "monitor" the interpreter.

Recording all consecutive interpretation would understandably cause stress for the interpreter, since knowing that one's work will be recorded for posterity, subject to comment and criticism, is not always a comforting thought. Interpreters, however, have traditionally been exempt from the meticulous observation that translators take for granted. A translator, of course, has the luxury of revising his work before submitting it, while an interpreter has but one chance to "get it right." Indeed, it is no coincidence that many conference interpreters demand an extra fee if they are going to be recorded.

I do feel interpreters should not be afraid to face the scrutiny of their peers. If we believe in the quality of our work, we should welcome the evaluation of our fellow interpreters. We should be willing to accept certain "quality control" measures, even if they result in more pressure on the interpreter.

I think it is quite possible to monitor the proceedings in a bilingual courtroom; the question, both for the court and for the interpreter, is: at what cost?

Daniel Sherr, New York

EDITOR'S NOTE

Items of Interest, Welcome New Members, and Alexander Rainof's column Charlotte's Corner will return in our next issue. In the meantime, they can be seen at <http://www.najit.org/proteus>

auditorio

Con la presentación de la famosa estrella, el auditorio se puso de pie.

"At the appearance of the famous star, the audience rose."

avisar

Nos avisaron de que se avecinaba una tormenta.

"We were informed that a storm was approaching."

auditorium

"The university auditorium was filled to capacity during the chancellor's address."

El paraninfo de la universidad estaba totalmente lleno durante el discurso del rector.

advise

"My lawyer advised me to agree to an out of court settlement."

Mi abogado me aconsejó que me aviniera a un arreglo extrajudicial.

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