



National Association of Judiciary Interpreters & Translators
2002 Summit Blvd. ▪ Suite 300 ▪ Atlanta, GA 30319
Tel: (404) 566-4705 ▪ Fax: (404) 566-2301 ▪ www.najit.org

Chief Judge Hon. Aida Delgado Colón
Attn. Comment L.Cv.R. 5(g)
Room 150 Federico Degetau Federal Building,
San Juan, PR 00918-1767.

Via email

Re: Amendment to Local Rule 5(g)

Dear Chief Judge Hon. Aida Delgado Colón,

I write on behalf of the NAJIT Board of Directors, the National Association of Judiciary Interpreters and Translators. NAJIT's mission is to promote quality services in the field of legal interpreting and translating.

As the largest American organization of judiciary interpreters and translators, part of our mission is to promote professional standards of performance and integrity for court and legal interpreters and translators; to gain wider recognition for the profession of judiciary interpreting and translating; and to formulate positions on matters affecting the advancement and interest of the profession of court and legal interpreting as a whole.

We wish to comment on the amendment to Local Rule 5(g) (Translation) ordered on July 14, 2017 and opened for public comment through August 14, 2017. The effect of the proposed amendment is to modify the requirements previously established for documents written in a language other than English presented or filed as evidence or otherwise. The changes will provide for a larger pool of language professionals that will be able to serve the needs of the Court. The amendment identifies and authorizes three separate categories of language professionals as set forth in paragraphs (a) through (c) of the aforementioned Rule.

Our comments are as follows:

- We believe it is important to address paragraph (c) first. The amended Rule authorizes an individual who has passed Phase I (written legal translation) of the Federal Court Interpreters Certification Examination to submit written translations. It is vital to note that Phase I of the Federal Court Interpreters Certification Examination is not in any way a written legal translation exam. Phase I is a computer-administered screener examination. This screening tool is simply a multiple-choice test of English and Spanish language proficiency. There is no translation component to this exam or any assessment of the candidate's skills or ability to prepare a faithful translation. For the reasons noted above, we urge the Court in the strongest possible terms to delete paragraph (c).



National Association of Judiciary Interpreters & Translators
2002 Summit Blvd. ▪ Suite 300 ▪ Atlanta, GA 30319
Tel: (404) 566-4705 ▪ Fax: (404) 566-2301 ▪ www.najit.org

- The amended rule significantly alters the definition of certified interpreter. The current rule clearly identifies a certified interpreter as one who is certified by the Administrative Office of the United States Courts, while the amended rule fails to do so.
- Paragraph (a) should be modified to clearly define certified interpreters as those individuals who have been certified by the Administrative Office of the United States Courts or by a state interpreter credentialing entity.
- We also feel that it is important to include language in paragraph (b) requiring a graduate of post-graduate educational institution to have a native or near-native proficiency in English and extensive experience in legal translation.

Our comments are meant to assist the Court in obtaining the best language services reasonably available, and are limited to the proposed amendment to Local Rule 5(g).

We believe that the proposed rule changes, as currently formulated, should not be adopted. We recommend that they be taken under advisement, and revised so as to correct the deficiencies we have pointed out. Moreover, we would invite the Court to consider our assistance in revising Rule 5(g).

Respectfully,

/s/ Ernest Niño-Murcia

Secretary of the National Association of Judiciary Interpreters & Translators