TRANSLATION and INTERPRETATION as RESTORATION of CONTEXT

Marina Braun

Communication is likely to get disrupted when words are taken out of context. Context is a concept that belongs as much to the sphere of linguistic and psycholinguistic research as it does to everyday communication. A layperson may not know the types of context that linguists single out for analysis, but people intuitively know that context is essential for successful communication.

A translator or interpreter, however, cannot rely on a vague, intuitive understanding of context. A firm grasp of the concept is critical both to ensure correct decoding of the received message in the source language and its accurate encoding in the target language.

One type of context, for example, is known as linguistic context. The interpreter needs to be aware of how the elements of linguistic context are interconnected, as illustrated in the following sentences:

(1) I’ll mark it as exhibit 2.
(2) Nobody did.

Both examples illustrate the use of the so-called cohesive factors that serve to bind sentences together to achieve cohesion, which makes a text a text rather than a random sequence of sentences (Halliday & Hasan).

The pronoun it stands for something referred to earlier in the discourse. (For example, “I want you to take a look at this document. I’ll mark it as exhibit 2.”) The verb did substitutes a verb in the past tense used earlier. (For example, “I didn’t believe him. Nobody did.”)

An interpreter needs to be aware of how the elements of the linguistic context are interconnected and to be familiar with cohesive factors in both languages, since they may vary from language to language. For example, the Russian language does not provide for the type of substitution illustrated above (“Nobody did.”) Instead, it requires a repetition of the verb, “Nobody believed.”

The above examples deal with structural elements of a linguistic context. The following sentence demonstrates how linguistic context works on the semantic level:

They will certainly hang.

At the first stage of the translation or interpretation process (decoding of the target language message), we examine the linguistic (semantic) context in order to resolve ambiguity, specifically in order to determine the meaning of a polysemantic word. A layperson is not usually aware of how ambiguous words...
MESSAGE FROM THE CHAIR

As the final program for NAJIT’s 24th Annual Educational Conference hits the airwaves, we invite everyone to join us in Nashville, Tennessee on Memorial Day weekend (May 23-25). Access from anywhere in the country is easy. The hotel is a very well-appointed, relaxing resort-type venue. The room rate of $79.00 a night means that you can bring your entire family. Most important, you can join your friends and colleagues for a lively and enlightening three days of networking, enthusiastic and stimulating presentations, and plain ole fun.

Several great presenters will be participating in the Nashville program as well as some very interesting vendors, whose support and loyalty we should all recognize. Joining us this year as keynote speaker is Duard Bradshaw, National Chair of the Hispanic Bar Association. This year’s program is organized along several tracks. Three sessions will be dedicated to tape transcriptions and be an important part of NAJIT’s development of protocols and recommendations in the field of forensic tape transcription. Another important track will focus on recent developments in court interpreting in the International arena. Esteban Cadena of Guadalajara will provide up-to-date information on developing certification procedures in Mexico. He will also chair a working session for those interested in the Regional Network for North America, a new initiative of PIT, the Fédération Internationale des Traducteurs. Dr. Cynthia Miguez, director of the court interpreting program at the University of Alicante in Spain, will speak about court interpreting initiatives in the European Union. Sebastian Aloat will speak on the implementation of the new Title VI requirements.

The Board of Directors continues working to improve the services the association affords our membership. An important part of this effort is reflected in our pre-conference offerings. The pre-conference presenters, most of whom are also presenting in the conference itself, will provide detailed training on vocabulary, skill building, and the knowledge and techniques necessary to run a successful business.

As the bylaws approved during last year’s Annual Conference require, the election of a new Board of Directors will also take place. Please read each of the candidate’s biographical information and campaign materials carefully and make an informed vote. Joyce Garcia of Tucson, Arizona will once again chair the Elections Committee. The Committee will announce the election winners before the end of the Annual Education Conference. The Board personally thanks all the candidates for their willingness to work in behalf of the association, and hopes that more and more members will be willing to work for the continued betterment of our profession.

Cristina Helmerichs D.
Chair, NAJIT 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.
Why Take the NAJIT/SSTI Exam?

Janis Palma

Credentials are one of the key elements of professional recognition and prestige. Some professionals are tested and licensed in response to a public interest. Electricians, plumbers, barbers, midwives, and many other occupations are required to meet certain standards in order to protect the consumer. As a result, it becomes incumbent upon the government or state to create the means to test and verify the skills of these practitioners.

Other occupations undergo peer review in order to grant a credential attesting to the level of skill and knowledge they require. Accountants, engineers, attorneys, and physicians are some of those who have created their own credentialing and testing process, which take into account public needs and the profession’s own standards.

The first credential for judiciary interpreters in the United States was instituted in 1979 by the Administrative Office of the U.S. Courts, upon a mandate by Congress (28 U.S.C. 1827 et seq., “The Court Interpreters Act”, enacted in 1978 and amended in 1988). The law required that the Director of the Administrative Office “prescribe, determine and certify the qualifications of persons who may serve as certified interpreters, when the Director considers certification of interpreters to be merited.”

The federal mandate was a step towards establishing a threshold for interpreter competence. However, the Court Interpreters Act addressed only the needs of federal courts. Many states were without guidelines or any process to certify or qualify interpreters within their court systems. Many interpreters sought federal certification in order to have some credential to establish their proficiency in the field. But the federal certification exam was not designed to meet the needs of the state courts. What’s more, the federal exam was only administered on an “as needed” basis, as determined by the Director of the Administrative Office of the U.S. Courts (AOUSC).

Some states followed the AOUSC’s initiative and developed some sort of screening process or certification examination for interpreters within their state. These tests proved to be far from uniform from state to state and some were not reliable in their assessment of judiciary interpreter competence. In 1995 the Consortium for State Court Interpreter Certification was created “to facilitate court interpretation test development and administration standards, to provide testing materials, to develop educational programs and standards, and to facilitate communication among the member states and entities, in order that individual member states and entities may have the necessary tools and guidance to implement certification programs.”

The federal and the Consortium certification exams have contributed to the recognition of judiciary interpreters as professionals in the legal community. However, these programs were created to meet the courts’ needs, and the courts control the pass/fail rate as well as the frequency of exam administration.

In 1997 NAJIT took a critical step in our collective quest for professional recognition and respect when it created the Society for the Study of Translation and Interpretation (SSTI). The Society was entrusted with the complex task of creating a valid and reliable instrument to measure judiciary interpreters and translators’ proficiency. Hundreds of hours of work by SSTI and other NAJIT members resulted in the creation of the National Judiciary Interpreter and Translator Certification Examination-Spanish (NJITCE-S). This is the first national credential for judiciary interpreters and translators in which exam design and content were exclusively under the control of a group of peers. The examination was developed adhering to sound testing guidelines and requirements, with the expert guidance of Measurement Incorporated (MI), a national assessment and scoring corporation based in Durham, North Carolina.

The NAJIT exam was first administered just over a year ago, in New York City. Since then it has been administered four more times, an indicator that we are truly committed to establishing this credential as the benchmark for interpreter and translator proficiency.

The NAJIT/SSTI exam is scrutinized continuously for quality, reliability and validity. Our goal as a professional association (NAJIT) and certification board (SSTI) is to provide judiciary interpreters and translators throughout the U.S. with a credential that will be recognized as the hallmark of excellence in the field.

The NAJIT/SSTI certification is the only credential whereby judiciary interpreters and translators undergo peer review, under the auspices of a professional association. The written exam components include syntax and grammar, language use, ethics, and written translation in the language pair tested. Written translation is a skill required of judiciary interpreters in the courts, but not specifically tested in any other certification exam. The

> continued on page 6
TRANSLATION AND INTERPRETATION

(1) No, I don't need this one. I meant that one.
(2) She threw the book at him.

The term situational or extralinguistic context refers to circumstances external to the discourse, which include the addresser (the encoder of the message), who sends a message to the addressee (the decoder of the message), the setting in which communication occurs (usually includes place and time), the topic, the respective social roles or positions of the addresser and addressee, the channel of communication, and the code itself (assuming the code is shared by the encoder and decoder).

To correctly decode these sentences, the interpreter needs to be aware of several components of the situational context.

In (1), the place and topic of conversation are important, especially if the interpreter is not present at the time of this communicative act and not privy to the gestures accompanying the phrases “this one” and “that one.”

In (2), the addressee and the setting are of primary concern. If “she” refers to a judge in the courtroom, the correct decoding of the sentence will be “She gave the defendant the maximum sentence.” (As opposed to a literal rendition in the context of a woman who might conceivably have thrown a book during a household argument.)

Two other dimensions may be added to the concept of situational context, that of the interlocutors’ common knowledge and understanding of the circumstances (frequently called shared [background] knowledge) and common evaluation of the circumstances.

If we view situational context as a structure, in which all the above-mentioned components are connected in a certain way, we can say that the target language provides us with a different set of building materials to be used to restore the original structure. This is what the translator or interpreter’s task at the encoding stage is. The interpreter’s final product in the target language should reflect the linguistic characteristics of each component: addresser, addressee, their respective social and/or gender roles, and others.

It is restoration, rather than preservation, that I advocate, because by encoding the message into the target language, the interpreter restores the balance that existed among the components of the situational context in the source language.

For example, there are no pronoun markers in English to indicate different social status, such as that of a judge in relation to an adult defendant. In languages which distinguish between a formal and a familiar “you”, however, as is the case in Russian, Spanish, French, or German, an interpreter will use the formal pronoun if a judge is addressing an adult defendant directly. Conversely, if a judge addresses a juvenile defendant, the interpreter may...
opt for the informal "you" (in Russian, for sure).

The next type of context is cultural context. Situational context, as we discussed above, can help the addressee and addressee communicate by providing "common knowledge and understanding of the circumstances" or "shared knowledge of the circumstances" and "a spatial purview common to them" (Bakhtin). However, if people come from two different cultures, they are separated by a lack of shared knowledge that no situational context can compensate for.

In semiotics, culture is seen as a system of shared signs or symbols, which the following examples illustrate.

(1) He was a straight A student.

According to Umberto Eco, "From a semiotic point of view [meaning] can only be a cultural unit... Recognition of the presence of these cultural units (which are therefore the meaning to which the code makes the system of sign-vehicles correspond) involves understanding language as a social phenomenon." From this perspective, the meaning of the sign "A" in the word combination "A student" is a cultural unit that exists in present-day American culture. It is part of a system of six cultural units (expressed by letters A to F) that the culture uses for grading students' performance. The corresponding system in many other cultures consists of five cultural units (expressed by numbers 5 to 1).

Cultural context, like the other types of contexts we discussed earlier, should be understood as a system, whose elements are interconnected and exist in a state of balance. Dealing with it at the decoding stage, the translator, instead of tackling the word "A" (in "A student") as an isolated entity, will analyze it within the cultural context it is an element of. Those cultural units will then be juxtaposed with the cultural units of the corresponding system in the target language in order to establish cultural equivalency.

Dealing with "cultural laden" words or word combinations has traditionally been considered one of the biggest challenges in translation. As is the case with puns, such instances are frequently labeled "untranslatable." One of the arguments given in support of this view is that the average bilingual dictionary does not list them. The other argument is that the target language simply lacks "the concept" expressed by the word in question. Indeed, it is extremely rare that there is a one-to-one equivalence between words and concepts in different languages. The key to this challenge, it seems, is to adopt a cultural unit, rather than a word, as a unit of translation or interpretation, and to consider restoration of cultural context, rather than verbatim translation, as the goal.

The example is straightforward in this respect ("He was an A student" would correspond, in Russian, to "He got only 'fives' in school"). As for the other letter grades, "C" through "F," the interpreter needs to take into account the whole cultural context, since there is no one-to-one correspondence.

Other challenges of cultural context can be seen in the following newspaper headline:

(2) Boston's Cardinal Law Felled by Revolt, Scandal.

At first sight, it appears that the article is about an important (cardinal) law that evoked protests in Boston. In reality, the text is about a particular cardinal from Boston, whose name is Law, the scandal surrounding his handling of alleged sexual misconduct by priests, and his resignation in the aftermath of that scandal.

"Revolt" also allows for several interpretations, one of which is "insurrection" or "rebellion." This meaning would definitely be at odds with the cultural context. It is the shared cultural knowledge about a much-publicized scandal, which affected several high-ranking priests in 2002, that is vital for correct decoding of the sentence. Once decoded, the sentence should not pose any difficulty in translation.

Often, cultural context is the greatest challenge for an interpreter, as in the following sentences:

(3) I'm going to try for a home run. The best you can do is a base hit.

Outside of the baseball or football field, these words and phrases are always used metaphorically. As Lakoff and Johnson point out, "the essence of metaphor is understanding and experiencing one kind of thing in terms of another." In contemporary American culture, the expressions "base hit" and "home run," if used metaphorically, are understood to mean "success" vs. "extraordinary success" or "to reach a moderate goal" vs. "to reach the highest goal."

The underlying concept of these two expressions stays the same regardless of the extralinguistic context (addressee, addressee, place of communication, topic, etc.), but the latter determines the specific language forms in the target language the translator or interpreter would select.

This example is taken from the popular TV show "Law and Order," from a dialogue between the district attorney and an assistant district attorney. In saying "I'm going to try for a home run," the latter means that he is going for a murder indictment. His boss, however, thinks that, under the circumstances, manslaughter is the best they can hope for, and expresses that idea by the phrase, "The best you can do is a base hit."

Obviously, if the same dialogue were to take place in the film world, the attributes of "success" would be different: for example, two Oscar nominations as opposed to just one.

In interlingual communication, recognition that different cultures conceptualize success (and many other seemingly
TRANSLATION AND INTERPRETATION

universal values) differently is essential. Moreover, each culture uses a unique set of metaphors to denote success. Should the translator resort to literal or verbatim translation of these metaphors, the end result may be nonsensical because of the differences in cultural context. This, in turn, would lead to the breakdown of communication.

To prevent a breakdown in communication, an interpreter needs to restore the cultural context by finding an appropriate cultural unit in the target culture. In other words, the interpreter needs to find a similar meaning that the target culture conveys by means of a certain language form. In this case, a metaphorical or an idiomatic expression would, of course, be preferable. If the target language lacks such expressions, the only way to interpret the phrases in the example above would be to eliminate the metaphor and convey the direct meaning of the phrases, “murder” vs. “manslaughter.”

In the professional literature on court interpreting, conservation of meaning is considered the interpreter’s main goal. Restoration, addition and modification are words usually treated with suspicion because these concepts are perceived as incompatible with conservation. The idea of restoration of cultural context is effectively rejected as a court interpreter’s tool since it is believed to be tantamount to cultural advocacy or cultural brokerage. While it is true that advocacy does not coincide with an interpreter’s function, restoration of cultural context is quite another matter, as this article has suggested.

Also missing from the publications devoted to court interpreting is the concept of context. It is not even mentioned in the index of subjects of the most exhaustive study to date, Fundamentals of Court Interpretation. This situation is paradoxical given that modern linguistics takes context as a concept of primary importance. I hope that the ideas expressed in this article will stimulate further linguistic discussion of the problem of context.

[A version of this paper was given at NAJIT’s Northwest Regional Conference in 2002. Marina Braun, Ph.D., is a court-certified Russian interpreter in Oregon and Washington and is accredited by the American Translators Association for English-Russian. She also provides training for interpreters and translators. She can be reached at marinabraun@faenov.com/]

REFERENCES


FOOTNOTES
1 The terms addresser and addressee were used by Roman Jakobson [2], whose model of communication is considered a major contribution to linguistic theory.
2 Some linguists break it down into smaller units: physical context (objects surrounding communication), social context (relationship between communicants) and epistemic context (information shared by communicators).

WHY TAKE THE NAJIT/SSTI EXAM?

oral exam includes a Spanish-into-English simultaneous interpreting section, which no other certification exam contains. Test materials incorporate financial and medical terminology often found in the legal context, and also take into account the nature of civil matters for which judiciary interpreters often provide service. This credentialing process has sought to address the profession’s need for a true standard of excellence in every aspect of our day-to-day performance.

The NAJIT/SSTI exam mirrors the actual demands of professional practice, including written translations needed for court proceedings as well as ethical decisions that need to be made. The passing score for the NAJIT/SSTI exam also reflects the high quality standards that we— as a profession—have set for ourselves.

The NAJIT/SSTI certification is not only an official record of our competency and proficiency in our chosen field of expertise, but living testimony of the pride we feel as members of this profession.

NAJIT, in conjunction with SSTI and MI, is working diligently to have individual states admit the NJITCE-S certification as one of the credentials for judiciary interpreters recognized by their courts. We are confident that the caliber of interpreters who acquire this credential will endow it with additional prestige and that in time it will become a universally recognized benchmark for quality.

SSTI has received generous financial contributions from NAJIT members that have been truly significant for the organization to carry out this initiative. Nonetheless, we must also support the efforts of our professional association by taking the NAJIT/SSTI exam, thus joining a concerted effort to maintain the highest quality standards for judiciary interpreters.

You can never have too many credentials; but you can only have one that you may proudly hail as your own peers’ endorsement of your qualifications as a professional judiciary interpreter and translator.

[The author, President of SSTI and a former president of NAJIT, is a staff interpreter in the U.S. District Court of Puerto Rico as well as a trainer and consultant on interpreter issues.]
DRAC INTERPRETING:  
Coming Soon To A Courthouse Near You?  

John Lombardi

The year is 2004. A French interpreter is at the witness stand interpreting for an eyewitness in an armed robbery which took place in a convenience store in northern Vermont almost a year earlier. There are several French speakers in the courtroom hanging on the interpreter’s every word. The interpreter has an air of sang froid about him in spite of his limited experience at the witness stand. He seems to have an extraordinary memory and accurately renders the testimony in the consecutive mode, even when interpreting the witness’s response to that open-ended question: “What, if anything, happened on the date in question?” He omits none of the false starts, changes in intonation, or fillers characteristic of the witness’s long answer. He takes no notes. Draws no symbols. Does not once interrupt the witness.

Too good to be true? The above scenario may become quite common if interpreters begin to avail ourselves of the advanced yet extremely simple technology of digital recording.

About seven years ago, faced with the prospect of consecutive interpreting, with its requisite note-taking and prerequisite memory building, I thought that creating my own symbols would be fun and increasing my retention would stretch me as an interpreter (and also help me prepare for the oral portion of the federal certification exam). But I wondered what would happen if we could tape the witness’s testimony and then play it back in our ear, simultaneously interpreting it for the court, thereby doing away with the need for note-taking. This way, we could have the best of both worlds, I thought: consecutive, for the sake of the court and staunch proponents of this mode on the witness stand, and simultaneous, for the sake of the interpreter. We would still be interpreting in the consecutive mode, but with an “invisible” simultaneous step that only we would experience.

It took a few years for technology to catch up with me, but this past December I happened on the micro digital recorders at my local office supply store, and I am here to tell you: this device was made for people in our profession! The immediate playback possible with digitally recorded data (no rewinding necessary) makes this device a dream come true for attorneys, judges and interpreters.

How does it work? It depends on the model, but most work the same way as a cassette recorder. The interpreter would have the recorder on his lap. A remote microphone and remote earphone are wired to the machine, and the remote mic would be fastened to the interpreter’s lapel, thus being close to the witness and in a position that will pick up attorneys’ voices as well. When the witness starts to answer a question, the interpreter would press “record.” When the answer is finished, the interpreter immediately presses “play” (or “stop,” and then “play”). In his ear the interpreter instantly hears the answer, which has been recorded on a micro chip about the size of his fingernail. Now he can interpret the answer simultaneously, which he alone can hear through his inconspicuous earphone.

The rendition was consecutive because the interpreter waited until the witness finished speaking before beginning to interpret, and it was simultaneous because he interpreted the recorded message in that mode. I have nicknamed this simultaneous-consecutive type of interpreting “DRAC” (Digital Recorder Assisted Consecutive) interpreting.

Without fast forwarding or rewinding, the interpreter is now ready to record the next answer.

Advantages

The interpreter would no longer need to interrupt the witness in order to begin interpreting for fear that failure to do so would jeopardize recall of the entire response. The witness could testify to her heart’s content. No more fears, or even accusations that the interpreter’s premature intervention has frustrated the completed train of thought of the witness.

A new way to “control the witness” ex post facto. Rather than stopping the witness in the middle of her testimony, the interpreter can let her speak, and then “stop” it during the playback mode by use of the pause button. The interpreter would be able to “stop” the witness, not during the live
listening phase, but during playback phase, eliminating the risk of a witness losing a train of thought. The answer would be complete and intact on the digital microchip. By the use of the “pause” button during playback, the interpreter would not be controlling someone, but strategically controlling something, namely, the recorded testimony.

The interpreter would no longer need to worry that memory of the most recent testimony will decay during objections or protracted legal arguments. If these occur, when the judge instructs the interpreter, “You may now interpret the witness’s answer,” the interpreter can press “play” and confidently render the response with all its elements intact, no matter how much time has passed since its utterance.

The interpreter gets to listen to the testimony twice. While authorities in the field argue that consecutive is the preferred mode of interpretation on the witness stand because simultaneous doesn’t allow the interpreter to listen to the overall message first before beginning to interpret, I believe that both objectives are met during DRAC interpreting. The interpreter can listen for overall meaning the first time he hears the response (sees the forest), and then is ready to focus on the individual components of the message (the trees) while interpreting in the simultaneous mode.

Rewind and fast forward features provide yet another chance for the interpreter to capture what might otherwise have been missed. In rare cases if the interpreter misses a word or phrase during playback, with a little bit of practice he can learn to replay these quickly and inconspicuously. Since the digital “tracks” recorded on the DR are identical to those on a CD, they can be accessed in the exact same fashion (the << and >> buttons also work identically to those on a CD player).

Fewer stresses on the interpreter could mean diminished interpreter fatigue and therefore, increased mental stamina and accuracy. Without some of the stresses inherent in the traditional consecutive method (e.g., the pressure to remember the entire message verbatim, the fear of taking too few or too many notes, or of not being able to decipher them, etc.), interpreters using DRAC could experience less fatigue and therefore be more effective during their turn at the stand.

Witnesses’ expressions of emotion and culturally charged idioms may be more accurately captured and conveyed in the real time afforded by simultaneous. I believe this is especially true if the message has already been heard once. Sometimes even interpreters with remarkable retention still are so preoccupied with remembering the content of the message that they flag when it comes to its color or intonation. Since the interpreter hears the message twice with DRAC interpreting, he can ready himself the first time for any salient deviations in intonation, volume, or speed so as to interpret these faithfully in the simultaneous mode. The immediacy of the simultaneous mode could make imitating these emotive expressions (or outbursts) easier. In the live listening phase, the interpreter listens for overall meaning—a dry run of sorts—and then in the replay listening phase, the interpreter fine-tunes his delivery.

### Possible Drawbacks

At first blush, a tape recorder in court might seem objectionable to some. But the reception that this method will have by the bar and bench depends on how it is presented. First, the face of consecutive interpreting at the stand will not have changed one bit. Secondly, it will benefit all parties involved, in the ways stated above and in other ways that remain to be seen. Thirdly, this is a tool for our profession, a new tool that will enable us to do our job more effectively. Since the only foreseeable objection we may face is that the interpreter might retain a recorded copy of a witness’s testimony and use it for some improper purpose, I propose the following: the interpreter can swear or affirm on the record to erase all recorded files in the presence of the parties, or alternatively, sign a sworn statement to that effect. Erasing the digital file should satisfy all concerned. The device is merely an interpreter’s tool and is not for use by any other court officer or litigant.

I am sure some questions will come to mind, such as:

#### Q: What if the recorder malfunctions in the middle of the trial?
**A:** The interpreter could resort to the traditional method of note-taking, but perhaps a better idea, if you can afford it, is to have a backup recorder. If two interpreters are assigned to the trial and each owns one of these devices, both could be made available to the interpreter at the stand in event of a malfunction.

#### Q: Would the interpreter record everything that is said?
**A:** No. Objections and legal arguments would continue to be done in the simultaneous mode with no digital recorder. The questions posed by the attorneys could be done in traditional fashion, and the answers recorded with the DRAC method. As with note-taking, shorter utterances (if they can be predicted) can be remembered without assistance. This would save room on the microchip for more lengthy answers.

#### Q: How do I go about getting this approved in my judicial district?
**A:** Hopefully, within a year, the interpreting community at large will find the appropriate means to gain the judges’ and the bar’s approval of digital recorders as an interpreting tool.
Test Runs

I have tried out the DRAC method informally, and it worked quite well. I have discovered only one snag, which could be remedied easily enough: the need to moderate the rapid delivery typical of simultaneous interpreting. Simultaneous interpreting by its very nature requires us to speak at a rapid rate due to the brisk pace of the speaker in the source language and the need to accommodate differences in structure and idiom. On the witness stand, an accelerated delivery by the interpreter might sound forced, and not have the characteristic intonation and pauses of the witness’ original response. In trying to keep up with the rate of speech heard through the earpiece, the interpreter might lose the natural pacing of the witness’s answer. The solution: the “pause” button. The “pause” button may be pressed as many times as necessary during playback, giving the interpreter enough time to catch up, and still give a naturally flowing delivery. I have tried this a few times, and after a little practice am doing pretty well with it.

What to Look for in a Digital Recorder

Duration: at least 1-1/2 hours recording time in slow play (SP) mode. Don’t be fooled by longer times advertised on the box. These are for the long play (LP) mode, but the quality is poorer at this speed. Look for one with at least 1 1/2 hours or more in the SP mode.

A very sensitive mic. Try out the internal microphone in the store. Stand as far away from the recorder as a lawyer might stand from the witness (20-25 feet) and speak at a moderate-to-loud voice. Pretend you’re an attorney (the people in the store will think you’re crazy). If it doesn’t pick up your voice clearly (turn the volume all the way up and listen to it through a simple $2.00 headphone, sold separately), don’t buy it.

You will need one with 2 separate jacks (obviously) for microphone and earphones.

Price: Digital recorders currently range between $50-150. The most important features are the first three above. You’ll pay more than $100 if you want to download your recorded material onto a computer. Likewise, all other new technology, these recorders will eventually go down in price.

Other features: Many recorders have other convenient features such as speed control during recording or playback, multiple folders, recording new material onto an existing file, etc.

Farewell to Conventional Methods?

I am not advocating renouncing traditional consecutive interpreting, dispensing with consecutive interpreting courses, note-taking strategies and memory-building exercises. I am suggesting a new method for the witness stand, but not exclusively or in every situation. I firmly believe that we need to continue to practice consecutive note-taking and the memory exercises listed in Fundamentals of Court Interpretation, in Holly Mikkelson’s Interpreter’s Edge, and in the Federal Certification Manual (the old University of Arizona manuals list some excellent exercises and resources), and to keep learning from the experts. Practice of these skills will stand us in good stead for the rest of our careers by preparing us for any interpreting situation. But this new simple technology is available and could possibly be just what the doctor ordered. Thanks to digital technology, we now have hope of overcoming fears and obstacles and of becoming des interprètes imperturbables.

[The author is a federally certified interpreter of Spanish who has been working as a full-time interpreter for the State of Connecticut Judicial Department for the past 11 years.]

CALANDAR

May 2-4, 2003. Jersey City, NJ. ATA Legal Translation Conference. Information: fax (703) 683-6122 or e-mail conference@atanet.org. See also www.atanet.org.


August 16, 2003. Omaha, NE. “Many Voices, One Message” organized by Nebraska Association of Translators and Interpreters. Information: e-mail janbonet@neonramp.com.


November 5-8, 2003. Phoenix, AZ. ATA Annual Conference. Information: fax (703) 683-6122 or e-mail conference@atanet.org. See also www.atanet.org.


Washington State Interpreter Commission Credits for Northwest Regional Conference

Portland, Oregon September 21, 2002
Credits: 6 hours.
Holly Mikkelson, NAJIT Secretary
EXECUTIVE DIRECTOR'S CORNER

IMPORTANT BUT NOT URGENT:
NAJIT POSITION PAPERS

Some years ago I took a class on time management in which the instructor made the distinction between tasks that are important and tasks that are urgent. Of course, some things in life are both: if you wake up at 5 a.m. to find the house on fire (which happened to me once), the situation is both important and urgent. If you receive a notice of an impending IRS audit in 3 months (which also happened), the situation is important but not urgent. If the doorbell or the telephone rings, the situation is urgent—it must be attended to at once—but may or may not turn out to be important. And if you get a letter in the mail about ways to improve your telephone service, it is neither important nor urgent.

When faced with a situation that is both urgent and important, like the smell of smoke, we react immediately. Adrenalin, worry and energy are summoned up to deal with a vital reality. When faced with piles of old papers to read or toss, we invest neither adrenalin nor worry. The unimportant or less urgent tasks in life may be of little concern, but the challenge is often in the middle range: things that are urgent but not important, like the doorbell or the telephone. They trigger the “urgent” signal in the brain, so we respond, but sometimes one’s whole day is taken up with these matters, for little in return.

Perhaps the most difficult category are things that are “important but not urgent,” for example, house and car maintenance. It isn’t all that urgent to pull the moss off the roof, or to have the oil changed. Both are important, however, and if neglected long enough, they become urgent. The IRS audit, if not attended to in good time, will become urgent the day before the appointment. Other types of tasks have no external reference at all, no “potentially urgent” deadline looming—and yet they are very important.

Last month’s column was about the NAJIT board’s efforts to review policies and establish guidelines for their work. This is a prime example of a slow, laborious task, not linked to any deadline, that nevertheless will play a significant role in NAJIT’s future. The bylaws revisions proposed to the membership (see page 20) are similarly important, though not urgent. And at our upcoming conference in Nashville, we will take up another task in this category. A session has been scheduled with the Publications Committee Chair, Sylvia Zetterstrand, together with Sebastian Aloeot from the Department of Justice, and Isabel Framer, member of the Advocacy Committee, to begin preparing NAJIT position papers. These will be short papers on key issues of the day that can be posted on the website and made available to those seeking guidance from NAJIT. Possible topics include: summary interpretation; speaking in the third person; best practices for working with law enforcement; courtroom protocol; preparing an interpreter in a rare language; and working with attorneys.

Montaigne once wrote to his son, “If I had had more time, I would have written you a shorter letter.” Preparing a concise and accurate statement on a difficult point of policy or procedure isn’t an easy task. I believe, however, that these position papers will answer a very important need. I am confident that our efforts will benefit all our members and the public at large. The Publications Committee needs your input in tackling this worthwhile project. For those who are planning to attend the Nashville conference, check your conference schedule, and please dedicate some time to this “important but not urgent” task.

Ann G. Macfarlane
Executive Director
The National Association of Judiciary Interpreters and Translators warmly invites court
interpreters and translators, advocates, judges, court administrators, scholars and teache-
ers to participate in a grand Tennessee conference over the Memorial Day weekend.

The Sheraton Music City Hotel is a lovely venue 15 min-
utes from downtown Nashville. Make your reservations
now by calling 615-885-2200. Our room block is being
held until April 21, 2003, and will sell out fast! The remark-
able rate of $79 per night for one to four people (plus tax)
makes this a bargain you won’t want to miss. The hotel
provides free transportation between the Nashville Airport
from 5 a.m. until midnight every half-hour. Just call when
you need a ride.

Sign up for valuable pre-conference seminars to sharpen your
skills on Friday, May 23. Then join your colleagues for the
traditional gala reception on Friday evening from 6 to 9
p.m. The conference opening ceremony will begin at 8:30
a.m. on Saturday, May 24. Duard Bradshaw, Chair of the
National Hispanic Bar Association, is our keynote speaker.
Educational sessions throughout the day will finish in time
for an evening at the music venue of your choice. We
will have a shuttle to the Grand Ole Opry or into town on
Saturday night. Sunday sessions will run from 9 a.m. until
1:15 p.m. The NAJIT Annual Meeting will be held during
lunch on Saturday, May 24, from 1 to 3 p.m.

Your conference registration includes educational ses-
sions on Saturday and Sunday, the Friday evening open-
ing reception, lunch on Saturday, all coffee breaks, and
access to the vendors and exhibits throughout the confer-
ence. Breakfast will be available for purchase. Our distin-
guished speakers are listed on the website.

Two free events on Friday, May 23: tour of the criminal
courts for 20 people at 9:00 a.m. (send an email to Lionel
Bajaña, liobaj@netzero.com to register) and open lecture at
1:00 p.m. by Rebecca Montgomery, Tennessee Adminis-
trative Office of the Courts, on “Development and
Implementation of Tennessee’s Credentialing Program.”

The Friday pre-conference seminars require separate regis-
tration.

The written portion of the National Judiciary Inter-
preters and Translators Examination: Spanish will be
administered on Thursday, May 22, and the oral portions
on Thursday and Friday. Separate registration required. Call
Measurement Incorporated at 1-800-279-7647 or check the
website for details.

The presentations are language-neutral unless other-
wise specified. Included are:
- Alternative Dispute Resolution for Interpreters,
  Thomas L. West III
- Characteristics of Expert and Novice Processing,
  Nancy Schweda Nicholson
- Cognitive Processing for Interpreters,
  Carol J. Patie, specialist in ASL interpreting
- Cooking and the Courts, Alexander Ratnof (Spanish)
- English-Spanish Legal Dictionaries on Probation,
  Sandro Tomasi (Spanish)
- Interpreting Polygraph Examinations,
  M. Cristina Castro
- Legal Language and the Laity: Problems with Jury
  Instructions, Bethany Dumas
- New Developments in Mexico and North America,
  Esteban Cadena
- Title VI and the LEP Community, Sebastian Alot
- Transcribing Tapes — three sessions!
- Why Do They Talk Like That? Peculiar Language
  Peculiar to the Courts, Loie Feuerle

Check www.najit.org for more details. RID, CLE and
CEU credits are being applied for. Program subject to
change.
NAJIT 24th Annual Meeting and Educational Conference

MAY 23-25, 2003

PROGRAM (Program is subject to change.)

THURSDAY, MAY 22

NJITCE: Spanish Examination, written and oral. Preregistration required; contact Measurement Inc.

FRIDAY, MAY 23

NJITCE: Spanish Examination, oral. Preregistration required; contact Measurement Inc.

9:00 AM Depart for tour of Criminal Courts. Contact Lionel Bajaña. liobaj@netzero.com to register (20 spaces)

9:00 AM Custodial Interrogation. Dumas, noted instructor at U. Tennessee Knoxville, gives the in's and out's of this challenging subject.

9:00 AM Setting Your Price: The In's and Out's of Running Your Own Business. Hine presents a non-technical procedure for calculating the minimum price that makes it worthwhile to stay in business, and guidelines for good budgeting and business management.

9:00 AM Sight Translation: Skills, Strategies and Solutions. Claudia Angelelli, Ph.D., presents theoretical and practical aspects of sight translation and interactive exercises.

Spanish-specific.

Noon Lunch on your own.

1:00 PM Development and Implementation of Tennessee's Credentialing Program. A free lecture by Rebecca Montgomery, Senior Staff Attorney, Tennessee Administrative Office of the Courts, with copies of Supreme Court Rules 41 and 42.

The three-hour workshops below require separate registration and payment.

2:00 PM Language of International Adoption. Giglio. Key concepts necessary to understand international adoptions, differences between the common-law and the civil-law systems.

Spanish-specific.

2:00 PM English Skill Enhancement for Non-Native Speakers of English. Patrie, expert in ASL, covers form and meaning, lexical substitution, paraphrasing, and main idea identification.

Language-neutral.

2:00 PM For the Legal Profession: Title VI and the LEP Community, A loft, and Jury Instructions for the Laity. Dumas.

6:00 PM Gala reception open to all attendees. Dance and enjoy meeting old friends and new colleagues!

SATURDAY, MAY 24

8:30 AM Opening ceremony, welcome and keynote speech by Duard Bradshaw, Chairman, National Hispanic Bar Association.

9:45 AM Title VI and the LEP Community. A loft of DOJ discusses key provisions of this law as it applies to interpreters and translators.


11:15 AM Position Papers on Current Issues – working session for NAJIT members committed to educating the public.

Legal Language and the Laity: Problems with Jury Instructions. Dumas

SATURDAY, MAY 24 (continued)

1:00 PM  Lunch and Annual Meeting, including election of new directors and bylaw amendments
Visit the exhibits of books, equipment and services available to conference attendees.

3:30 PM  Role of Interpreter in U.S., Canada, Mexico. Angelelli.  
A visibility/invisibility survey of conference, court, community and medical interpreters.

3:30 PM  A Question of Perspective:  
Effects of practice, attention, automaticity, training implications.


5:00 PM  Chronological History of Court Interpreters in the Labor Movement in New York. Amaya,  
Bajaña, Figueroa, Sabatino.  
Accomplishments and implications for colleagues in other cities.

5:00 PM  Interpreting Polygraph Examinations. Castro. Marriage of form and function in a unique and challenging discipline.

5:00 PM  Adoption in an International World. Giglio. Terms and set phrases in this area of growing practice. Spanish-specific.

6:15 PM  Freelancers’ Roundtable. Redd. Network with colleagues and discuss key issues for freelance interpreters.

Evening  On your own. Take the shuttle to the Grand Old Opry or into Nashville to enjoy the music scene.

SUNDAY, MAY 25

9:00 AM  Transcribing Tapes I: Where Are All the Experts? Palma.  
Concepts and discussion on practical and ethical questions involved in revision of another interpreter’s work.

9:00 AM  Grotius Project: Europe’s Efforts to Regulate Court Interpreting and Legal Translation. Miguélez.  
Valiant effort to develop code of ethics and regulation of oral and written legal translations for quality standards.

9:00 AM  Challenging Conventional Wisdom: A Corpus-Based Model for Interpreter Performance Evaluation Produces Surprising Results. Lindquist. Analysis of errors produced when students interpret into their native or dominant language.

10:30 AM  Transcribing Tapes II: Case for Guidelines. Font presents models for a professional code of conduct and an evaluation methodology.

10:30 AM  Legal Interpreting in Mexico. Cadena compares specific actions such as preuba confesional to deposition and testimony, and describes recent developments in Mexico.

10:30 AM  Why Do They Talk Like That? Peculiar Language Peculiar to the Courts. Feuerle. Interactive presentation on translating apparently stilted, awkward stock phrases used by attorneys.

12 Noon Transcribing Tapes III:  
Zetterstrand et al. lead a working session to begin preparation of NAJIT guidelines.

Working session to continue FIT initiative. Subjects: certification and reciprocal recognition, training exchanges, quality assurance.

12 Noon  Court Interpreter Ethics Workshop. Mines.

1:15 PM  Conference adjourns.

NAJIT thanks the following distinguished guests for participating in our conference:  
C. Sebastian A loot, Senior Attorney, Coordination and Review Section, Civil Rights Division, U.S. Department of Justice.
Duard Bradshaw, Chairman, National Hispanic Bar Association
Esteban Cadena, President, Organización Mexicana de Traductores and Coordinator of the Regional Network for North America of FIT, Fédération Internationale des Traducteurs.
Rebecca Montgomery, Senior Staff Attorney, Tennessee Administrative Office of the Courts.
Thomas L. West III, President, American Translators Association and President, Intermark Language Services.
REGISTRATION FORM

NAJIT 24th Annual Meeting and Educational Conference
Friday, May 23 – Sunday, May 25, 2003
Sheraton Music City Hotel
777 McGavock Pike • Nashville, Tennessee 37214

Name: ____________________________________________________________

Company/Agency: ________________________________________________

Street Address __________________________________________________

City __________________________ State/Province __________ Zip code ______ Country ______

Telephone __________________________ Email ________________________

Working languages: ______________________________________________

EARLYBIRD MUST BE RECEIVED BY APRIL 24TH. Please circle all that apply

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Space is limited and on-site registration cannot be guaranteed. Cancellations made by May 10 will receive a refund less a $15 processing fee. No refunds given after May 10, but substitutions permitted. We are committed to making our conference accessible to all. If you have special requirements please specify: __________________________________________________

☐ Check enclosed

Please charge my: ☐ Visa ☐ Mastercard ☐ American Express ☐ Discover

Card number ____________________________________ Expiration date ______

Name on card ___________________________________

Signature _______________________________________

Mail or fax to: NAJIT 2150 N. 107th St, Suite 205 Seattle, WA 98133-9009
CONFEREE REPORT

NAJIT’s Eastern Regional Conference

Daniel Sherr

"NAJIT’s regional conference wasn’t any good," a colleague commented. "How do you know," I asked, "if you weren’t there?" "I have my sources," she replied. To those sources, to that interpreter, and to all those who wished they could have been present, this article is dedicated.

Over 100 interpreters from 13 states attended NAJIT’s 2003 Eastern Regional Conference at the Fordham University School of Law in New York on February 1. This was in sharp contrast to last year’s Eastern Regional, to which nearly twice that number poured in, from as far south as Florida and as far north as Minnesota. Organizer Sandro Tomasi pointed out that the absence of skills-oriented workshops at this year’s conference definitely reduced the turnout. Nevertheless, this year’s conference brought together some outstanding presenters. Following are some highlights, as seen from one attendee's point of view.

How Judges View Interpreters

Dr. Ruth Morris, senior lecturer in interpretation and translation studies at Bar-Ilan University, served up a compendium of 400 years’ worth of judges’ opinions on the use of interpreters in the Anglo-Saxon world. Her collection of rulings, many from appellate courts, covered Canada, the U.S., England, and Australia. If anything was clear from this potpourri, it was that legal opinions have not necessarily become more laudatory toward interpreters over time. Some judges have stated outright that interpreters are to be viewed as a necessary evil.

In 1984, a Canadian appellate court was called upon to determine whether a French-language case could be heard by a monolingual English judge in Manitoba using an interpreter. The majority ruled in favor, but one judge felt that the use of an interpreter would leave the judge underserved. "There will always exist the legitimate fear that the witnesses and the parties will not be thoroughly understood and that the nuances of language, intonations, accents, local expressions or colloquialisms will overshoot the ears of the trier of facts."

A 1994 case dealt with a Hindustani-Malayalam speaking defendant facing the death penalty for drug trafficking in Mauritius. The interpreter believed he was to interpret only when instructed by the judge, and did not interpret the trial testimony to the defendant. (This continues to be standard practice in many courts in Spain today—but no one thinks of appealing.) The defendant testified, “Two or three gentlemen deponed in court. I have not understood what they said.”

The most fascinating example in Dr. Morris’ collection was an opinion by the Supreme Court in Michigan in 1889, in recognition that interpreter quality was not up to snuff. “In very many instances the conflict of testimony [given through interpreters] is such as to indicate either more perjury than seems possible, or more likely incorrect renderings of testimony," the court lamented. It went on to propose what in 1889 was technologically impossible. “If stenographers could take down what is said by interpreters and witnesses in other languages, it might furnish some help...but this is ... impracticable, and the interpreter’s minutes contain the questions in English, and the interpreter’s English rendering of the answers, with no means of judging the correct report of either, as between interpreter and witness.” What prescience! Today, some courts do tape record the proceedings, but I know of few cases where the recordings have actually been scrutinized to judge the accuracy of the interpretation of testimony.

Interpreter as Cross-Cultural Communicator

Norma Connolly, whom many Spanish interpreters know as co-author of the extremely useful Bilingual Dictionary of Criminal Justice Terms, talked of the interpreter not only as master of two languages, but of two cultures. Such an interpreter, she said, is familiar with the history and culture of both groups, and operates from the basic belief that it is possible to live effectively with a multiplicity of identities. Given that communication is never complete within the same language group, she argued, it becomes even more complicated when it straddles linguistic and cultural lines. An interpreter must be alert to changes in intonation and vocal emphasis, as in the following examples:

I like my job (but others do not).
I like my job (but you think I don’t).
I like my job (and it belongs to me. Don’t you get any ideas).

Connolly also pointed out that interpreting is one of a few professions where self-monitoring is key.

A vigorous discussion ensued over the cultural reper-

> continued on page 16
Aziz El-Nasser Ismail, an Arabic interpreter, had had no prior experience with terrorism trials when he was chosen to work as an interpreter in the World Trade Center bombing trial in 1993 after a nation-wide search and test conducted by the chief interpreter for the Southern District of New York. Candidates were taped doing a sample simultaneous interpretation of court proceedings and the tapes were evaluated by an outside Arabic interpreter. El Nasser Ismail’s rendition was the most highly ranked. Mr. El Nasser Ismail went on to interpret in many other terrorism trials, including that of Omar Abdel Rahman, the blind Egyptian cleric accused of seditious conspiracy in a plot to blow up New York landmarks. During this trial, the government read extensive translated portions of the Koran and Hadith (teachings of Mohammed and his followers) straight into the record. The Arabic interpreters had to back-translate from these English translations; but knowing the impossibility of arriving this way at the exact Arabic of the originals, the interpreters chose to advise Abdel-Rahman beforehand that they would be doing back-translations of holy texts and meant no disrespect to the texts. The sheik did not object to this procedure.

Maya Hess, whose company provided English translations of thousands of Arabic-language documents in the World Trade Center and U.S. Embassy bombing cases, recounted the travails of another interpreter who worked more recently behind the scenes, providing interpretation during post-sentencing jail interviews between defense attorney Lynne Stewart and the sheik. The Arabic linguist she provided was a top-notch interpreter who had worked for her firm for years and was approved by the Justice Department. She told attendees how surprised she was when this interpreter told her that he believed he was being followed by the FBI. Some months later he was indicted, along with Stewart, accused of providing “material support to terrorism” by covertly passing messages between Sheikh Abdel-Rahman and his followers.

Hess said, “According to the government, translating is construed as covertly passing messages. But the interpreter does not pick and choose the messages he translates. The interpreter is not responsible for the content. Any exchange of material between the attorney and client is confidential.” And, Hess asked, “If the government was so concerned that this interpreter was conspiring, why didn’t they rotate interpreters? Why didn’t they withdraw their approval?” She concluded that, “When the government goes after linguists, this does not bode well for Arabic interpreters.” The case is currently pending trial.

Moderating the session was Katharine Sweeney.
Hayden, U.S. District Court Judge for the District of New Jersey. Expressing her admiration for interpreters, "whose minds," she said, "are wired differently," she asked the interpreters on the panel what judges could do to make their task easier. For those who believe NAJIT has an obligation to educate the judiciary, her mere presence at the seminar was a welcome event.

**Court Interpreters in the 21st Century**

It was appropriate that the seminar should close with an overview of the court interpreting profession by Holly Mikkelson, Adjunct Professor of Translation and Interpretation at the Monterey Institute of International Studies. Mikkelson peppered her presentation with a wealth of statistics that give reason to be optimistic as the profession enters its second centennial.

At the dawn of the 21st century, there were about 3,000 certified spoken-language interpreters in the United States at the state and federal court levels. By way of comparison, the Registry of Interpreters for the Deaf lists 20,000 members, of whom 8,626 were certified in 2002. Per diem interpreting rates in Los Angeles rose from $80 per day in 1980 to $265 in 2002, while the federal rate has increased much more slowly, moving from $175 in 1989 to $305 in 2003 (recently risen to $329). The number of training programs in spoken-language interpreting has shot up from less than 5 in 1980 to about 30 in 2000.

Fueling the need for court interpretation is immigration. Over a million people immigrate legally to the U.S. per year, while around 200,000 immigrate illegally. Forty percent of all legal non-refugee immigration comes from Mexico, India, China, the Philippines, and Vietnam. The main receiving states are California, New York, Florida, Texas, New Jersey, and Illinois. Hispanics now represent the largest minority in the United States.

Two important benchmarks of a profession’s health, according to Mikkelson, are the existence of professional organizations and continuing education programs. There are now local professional associations in about 22 states, and one national judiciary translating and interpreting organization, NAJIT, with over one thousand members.

Will you be a member in 2003? And will you attend one of NAJIT’s continuing education seminars? According to Mikkelson, the way to help make court translating and interpreting a more powerful profession is to have more membership in professional organizations, more mentoring for newcomers, and unceasing efforts to educate the public about the field.

[The author, a frequent contributor to Proteus, is a conference interpreter of Spanish, French and Catalan and a federally certified Spanish interpreter.]

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**LEGISLATIVE WATCH**

**HAWAII FOLLOW-UP**

On Jan. 13, 2003, the Office of Equality and Access to the Courts (OEAC), the branch of the judiciary in charge of court interpreting services statewide, mailed to all interpreters on the state court list a Proposed Revised Court Interpreter Fee Schedule and Guidelines. The proposal noted: “Implementation of the Proposed Fee Schedule is contingent on funding. The Hawaii State Judiciary has requested a legislative appropriation of $182,000 to cover the increased fees.” [This request for additional appropriation for interpreter fees was made in Judiciary Budget Bill HB 808. The appropriation has been alternately deleted and restored as the bill makes its way through the legislative process.]

On January 31, the Interpreters Action Network (IAN) responded in writing to the proposed schedule and guidelines.

On Feb. 6, IAN members tried to attend the Supreme Court Committee on Court Interpreter Certification. They were asked to leave, but the committee distributed copies of IAN’s response, and it was discussed.

In the legislature: In January, a bill was introduced with the help of the Administrative Director of the Hawaii Newspaper Guild/CWA that would have made interpreters employees of the judiciary [HB 1655]. After first reading, it did not get out of House committee. A mysterious “counter bill” that would have prohibited collective bargaining for court interpreters also died after first reading in the House [HB 1254].

IAN has attended, spoken at, or submitted written testimony at various hearings of the House Judiciary, House Finance, Senate Judiciary and Hawaiian Affairs committees. They have communicated with state representatives and senators.

The appropriation for a court interpreter pay increase is a minuscule part of a multi-million dollar budget request. Collective bargaining rights, not currently established, would require the judiciary to negotiate these matters with interpreters.

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**FEDERAL RATES**

Effective April 1, the federal rate of payment for contract court interpreters rose to $329 for a full day and $178 for a half day. The non-certified rate is $156 for a full day and $86 for a half day. The last time rates were adjusted was in 1999.
NAJIT Board of Directors Meeting Minutes

January 24, 2003


1. The meeting was called to order at 5:37 pm PST.
2. Alexander Raínof moved to accept the amended agenda, Attachment 1. Motion carried.
3. Alexander Raínof moved to accept the amended consent agenda, Attachment 2. Motion carried.
4. Consideration of the Draft Policy on Board Communications and Meetings, postponed from the last meeting, was resumed:
   a. Point 2. Alexander Raínof moved to strike board chair and substitute the directors, and to strike the second sentence. Motion carried.
   b. Point 3. Cristina Helmerichs moved to add or in a public forum after the word members. Motion carried unanimously. Cristina Castro moved that the second sentence be stricken. Motion carried unanimously.
   c. Point 4. Alexander Raínof moved to strike entire point. Motion carried unanimously.
   d. Point 8. Cristina Helmerichs moved to add the words regarding NAJIT policy, practices or business after the word questions. Motion carried unanimously.
   e. Point 9. Cristina Helmerichs moved to remove Point 9 from immediate consideration for further study and discussion. Motion carried.
   f. Point 10. Cristina Castro moved to insert NAJIT shall bear the cost of all in-person meetings. Motion failed. Alexander Raínof moved that the language of this amendment be considered at the next Board meeting in the context of the Financial Guidelines. Motion carried unanimously.
   g. The motion made by Cristina Castro at the December 5 Board Meeting to approve the Draft Policy on Board Communications and Meetings, which was postponed to this meeting, carried unanimously.
5. Administrative matters: Cristina Helmerichs moved that participants at regional conferences be offered the opportunity to register for the next annual conference at a discount of $20. Holly Mikkelsen moved that the motion be amended to say “at a discount to be determined by the Board of Directors.” Motion to amend carried. Motion carried by unanimous consent.
6. The Board went into executive session from 7:16 to 7:20 pm.
7. Alexander Raínof moved that the Board consider Motion 7 out of order. Motion carried by unanimous consent. Alexander Raínof moved that Sylvia Zetterstrand, Ph.D., be appointed as Chair of the Publications Committee, effective to the end of the 2004 Annual Conference. Motion carried by unanimous consent.
8. Cristina Helmerichs moved that Motion 6, the Call for Nominations, be considered out of order. Motion carried by unanimous consent. Cristina Helmerichs moved that the Call for Nominations, Attachment 3, be approved. Motion carried by unanimous consent.
9. Bylaws revisions: Cristina Helmerichs moved that the Board of Directors offer to the membership the amendments to the current NAJIT bylaws contained in Attachment 4 (Motion 5). Judith Kenigson Kristy moved that Article 8 be taken up out of order. Motion carried by unanimous consent. The motion to offer the amendment to Article 8 to the membership carried by unanimous consent. Alexander Raínof moved that consideration of proposed amendments to Article 4, Section 1 and Section IV be postponed to the next Board meeting. Motion carried by unanimous consent.
10. Other new business:
   a. Credit card: Cristina Helmerichs moved that the NAJIT Bank of America credit card be approved. Motion carried by unanimous consent.
   b. Meeting schedule: Cristina Helmerichs moved that the amended schedule of future Board meetings be approved. Motion carried by unanimous consent.
11. The Board went into executive session from 7:44 to 7:50 pm.
   a. Judith Kenigson Kristy moved that the recommendation by the chair of the Education Committee that Board members be enrolled free of charge in regional conferences be approved. Motion failed.
12. Cristina Castro moved to adjourn. Motion carried unanimously. The meeting was adjourned at 8:10 pm PST.

Attachment 2: Consent agenda.

3A. The draft minutes for December 5, 2002, are hereby approved as submitted
3B. The establishment of a “members only” section on the NAJIT website is hereby approved, to be accessible by a single password, and to contain initially complete back issues of Proteus, minutes of the meetings of the Board of Directors, and NAJIT policies.
February 25, 2003


1. The meeting was called to order at 5:37 pm PST.
2. Alexander Rainof moved to accept the agenda, Attachment 1. Motion carried.
3. Judith Kenigson Kristy moved to approve the consent agenda, Attachment 2. Motion carried.
4. Cristina Helmerichs moved to offer the Bylaws amendments, Attachment 3, to the membership. Motion carried by unanimous consent.
5. Judith Kenigson Kristy moved to postpone consideration of Motion #2, regarding the proposed amendment to the Financial Guidelines, until Cristina Castro is able to participate in the discussion. Motion carried by unanimous consent.
6. Cristina Helmerichs moved the following: Resolved, that in accord with best practice for management of certification programs, the National Association of Judiciary Interpreters and Translators hereby authorizes the Society for the Study of Translation and Interpretation of the National Association of Judiciary Interpreters and Translators to represent NAJIT, in consultation with the NAJIT Board of Directors, in instances of confusing, incorrect and/or improper claims regarding NAJIT certification. Motion carried by unanimous consent.
7. Alexander Rainof moved that a series of networking and educational gatherings in New York as proposed by Carmen S. Barros, be organized by NAJIT as a benefit to current members, to recruit new members, and to generate funds for the work of the Society for the Study of Translation and Interpretation. Motion carried by unanimous consent.
8. Holly Mikkelsen moved to adjourn. Motion carried by unanimous consent. The meeting was adjourned at 7:15 pm PST.

Attachment 2: Consent agenda.
3A. The draft minutes for January 24, 2003, are hereby approved as submitted.
3B. Two events are hereby added to the list of NAJIT board meetings, both for Friday, May 23, 2003: an optional board training workshop on parliamentary procedure jointly with SSTI board from 9:30 to 11:30 a.m., and a joint meeting with the SSTI board from 2:30 to 3:30 p.m.
3C. Corporate and organizational members are hereby authorized to use the NAJIT logo in advertising their services.

The NAJIT Education Committee Report

Holly Mikkelsen

The NAJIT Education Committee, chaired by Sandro Tomasi, met in New York City on January 31 just prior to the NAJIT Eastern Regional Conference. Present were Education Committee member Margaret Redd, NAJIT President Cristina Helmerichs, NAJIT Secretary Holly Mikkelsen, SSTI President Janis Palma, Executive Director Ann Macfarlane, and Rita Tomasi.

Sandro discussed Education Committee ideas, such as offering a series of workshops around the country for 30 attendees, either for skill-building (development of consecutive or simultaneous) or for professional issues (résumé writing, financial planning, etc.). The skill-building workshops could be timed to prepare candidates for state, federal and NAJIT exam dates, ideally four to six weeks before an exam. The exam preparation workshops could be scheduled for six hours on Saturday and three hours on Sunday. The Committee would also like to offer workshops proposed by NAJIT members, who would present them on an ad hoc basis.

Janis Palma noted that SSTI intends to create a permanent program of pre-designed courses with proprietary training materials. Instructors would be trained to present these courses at the request of any group. It was agreed that SSTI will develop the content and the NAJIT Education Committee will deal with workshop administration, such as setting dates, processing registration and revenues for allocation between NAJIT and SSTI, etc. Janis Palma, representing SSTI, agreed to serve as a member of the Education Committee, as did Holly Mikkelsen.

Margaret Redd has been planning a conference on forensics for interpreters. She and Sandro will continue lining up speakers and researching sites in Florida for a February 2004 conference for advanced interpreters on forensic topics such as chemistry, ballistics, and tape transcription.

3D. The Southern Regional Conference proposed to be held on Saturday, September 20, 2003 at the Holiday Inn, Austin Town Lake, is hereby approved; Cristina Helmerichs D. is appointed Chair of the Southern Regional Conference Committee.

Respectfully submitted,
Holly Mikkelsen, Secretary
Bylaw Amendments

The Board of Directors presents to the membership the following amendments to the current NAJIT bylaws. The Board recommends a vote in favor of these amendments.

1. Article Four: Board of Directors, Section 1, Number and Terms.
The current language reads: “Three members of the board shall be elected in odd-numbered years, and two members in even-numbered years, following the procedures outlined in Article Eight. Each additional Board of Directors position, when established, shall be designated with a term beginning in odd-numbered years or even-numbered years, following the procedures outlined in Article Eight.”

Proposed change: To delete the above paragraph and insert the words, “The terms of the members of the board shall alternate, with each term designated as starting in either an odd or an even year.” New language would read: The terms of the members of the board shall alternate, with each term designated as starting in either an odd or an even year.

Rationale: The current language is inaccurate, inasmuch as the terms of two directors end this year, an odd year, and three next year, an even year. This proposed language will reflect current reality, and also be less cumbersome.

2. Article Four, Board of Directors, Section IV, Officers, (C) Treasurer
Current language reads: “The Board shall elect a Treasurer from amongst its members, who shall receive and collect all dues, fees, assessments and other moneys; record all moneys received and expended; deposit all the funds of the Association in a bank designated by the Board of Directors; and shall share with the Chair the right to sign all checks.”

Proposed change: to add the words “and Secretary” after the word “Chair.” New language would read: The Board shall elect a Treasurer from amongst its members, who shall receive and collect all dues, fees, assessments and other moneys; record all moneys received and expended; deposit all the funds of the Association in a bank designated by the Board of Directors; and shall have the Chair and Secretary the right to sign all checks.

Rationale: Since checks over the amount of $1500 require two signatures, having three officers designated as eligible to sign checks ensures that there will be no difficulty should one officer be temporarily unavailable.

3. Article Eight, Voting and Elections.
Current language reads: “Successful candidates shall take office the month following the elections.”

Proposed change: to delete the word “month” and insert the word “day.” New language would read: Successful candidates shall take office the day following the elections.

Rationale: Since the sole required in-person meeting of the Board of Directors takes place after the Annual Meeting and Educational Conference, it seems advisable to have that meeting include newly elected directors. In this way they can begin their work of guiding the association as soon as possible. Under the current arrangements, the directors who were unsuccessful or who had chosen not to run again would be in a “lame duck” position at the in-person meeting.

Nominees to the Board of Directors

The Nominating Committee, consisting of Samuel Adelo, Albert G. Bork, Chairman, Teresa Salazar, and Susana Stettri-Sawry, submits the following candidates to the membership for election to the NAJIT Board of Directors: Isabel Framer, Judith Kenigson Kristy, and Hal Sillers.

- ISABEL FRAMER
STATEMENT
As a member of the NAJIT board, my goals would be to take to the national arena the work I have been doing at the local state level. My goals are to see NAJIT become more visible and a stronger voice in setting standards for judiciary interpreters and translators throughout the country, and for NAJIT to develop a good working relationship with governmental agencies, judges, attorneys, and law enforcement agencies by assisting them in setting standards for judiciary interpreters and translators. In addition, I would like to see us work with other local judiciary interpreter and translator associations. I strongly believe that through our webpage, NAJIT should make position papers available to state and government agencies. I am currently working on this and will see to it that we implement this action plan. I would like to institute educational programs for the bar/bench and law enforcement through NAJIT and to create an environment where our membership feels comfortable in communicating their ideas and concerns to the board. I believe that each member’s voice is crucial to the unity of our organization and I will make sure that your ideas or concerns are heard in a fair manner and in accordance with our association’s goals and mission.

> continued on page 21
BIOGRAPHY
Isabel (Iya) Framer is an interpreter in Copley, Ohio, certified in Oregon and Tennessee by the National Center for State Courts Consortium for State Interpreter Certification. She served on the Interpreter Services Subcommittee of the Supreme Court of Ohio’s Racial Fairness Implementation Task Force. She is the author of “Interpreters and Their Impact on the Criminal Justice System: The Alejandro Ramirez Story,” “Through the Eyes of an Interpreter” and “Suggested Guide for Interpreted Proceedings,” published by the Kentucky Department of Public Advocacy’s legal journal, The Advocate. She has testified as an expert witness regarding court interpreter standards. (In one case in which untrained interpreters were used, a murder conviction was reversed on appeal for ineffective assistance of counsel.) She presents continuing legal education courses to judges and attorneys regarding legal issues, ethics, role and professional responsibilities of the interpreter in legal settings. Ms. Framer has also provided training for law enforcement on proper protocol in working with interpreters during the investigative phase of a criminal case. She has taught workshops to aspiring and practicing interpreters and bilingual court personnel on ethics and professional responsibilities of court interpreters. She currently serves on the board for the Racial Fairness Project in Cleveland and for the Interpreter Services Model Program for Law Enforcement Committee in Summit County, Ohio.

- JUDITH KENIGSON KRISTY
STATEMENT
After one term on the NAJIT board, I still have much to learn and much to offer. I hope that the membership will allow me to serve for another two years. These have been challenging times for NAJIT as we changed our management, but I am very pleased with the direction the association is taking. We are serving members with regional conferences in different parts of the country, initiating a publications program, working to address key public issues of the day, and continuing to support the Society for the Study of Translation and Interpretation in its mission. I am currently serving as Treasurer and will continue to monitor association finances carefully in order to ensure that our resources are used wisely. I have been active in offering presentations at conferences and workshops for interpreters, attorneys and judges to help disseminate information about professional standards, ethics and skills, while promoting NAJIT recognition and membership. My experience in representing you through NAJIT, along with a business background, my efforts to establish a court interpreter certification and training program in the state of Tennessee, and 32 years of experience as a freelance interpreter and translator, will continue to be of benefit as I serve the members of NAJIT and our profession. I ask for your vote and appreciate your confidence.

BIOGRAPHY
Judith Kenigson Kristy is a federally certified Spanish court interpreter residing in Nashville, Tennessee. Born in Toronto, Canada, she has lived and studied in Canada, Spain, Mexico and the U.S. Former translator for the President of Mexico and the Mexico City office of the United Nations, Ms. Kristy has been working in the translation and interpretation field for over 30 years. Since 1973, she has managed her own freelance business as well as a family music company, both in Mexico City and Nashville, providing her with a wealth of experience in administrative, financial and marking practices.

Elected to the NAJIT Board of Directors in 2001 and currently Treasurer of the association, Kenigson Kristy was on the Tennessee Supreme Court Interpreter Services Advisory Committee, which sought to develop standards for the Tennessee Court Interpreter Certification Program, resulting in the approval of TN Supreme Court Rules establishing the responsibilities, certification and governance of interpreters in Tennessee courts. Shortly afterwards, in 2002, she co-founded the Tennessee Association of Professional Interpreters and Translators. She works full time as a court interpreter, providing training workshops for aspiring interpreters, is on the NAJIT conference committee, and is currently participating in the Summit County (Ohio) Sheriff’s Department subcommittee for the development of a model program for law enforcement to ensure equal access to justice for limited English proficient (LEP) persons.

- D. HAL SILLERS
STATEMENT
NAJIT is an excellent professional organization. It has worked hard at increasing the credibility of court interpreters. With the advent of the NAJIT Certification Exam, there is an additional step that must be taken in order to truly become a recognized professional association. NAJIT needs legislative authority in the same manner as physicians, attorneys and accountants. These groups all have their boards of certification authorized by law. Until now, AOUISC and the state supreme courts have taken the initiative in testing and certifying interpreters. NAJIT could and should be the sanctioning authority. We can only achieve this goal by approaching state legislatures and Congress in order to get the appropriate legislation enacted.

There is need for more emphasis and training with regard to the Code of Professional Responsibility. While the code is intended as a guide for interpreter behavior and is fairly straightforward, its application, in many
NOMINEES TO THE BOARD OF DIRECTORS  
continued from page 22  
instances that I have observed, is lacking. These lapses may not be intentional and in no case that I am aware of are they malicious. It is simply a case of interpreters not being sufficiently versed in the code and not knowing the reasons behind the various canons. It is to be expected that novice interpreters might commit errors of ethics, but it happens with seasoned veterans as well. Additional emphasis on ethical training could help this situation.  
I am grateful for the opportunity to be a candidate for the NAJIT Board in order to collaborate with the members of the association and the Board of Directors on these and other issues.

BIOGRAPHY  
Education:  
Minnesota State University Moorhead. B.A. Spanish & L.A. Studies  
Northern Arizona University, graduate study in Spanish translation  
Work experience:  
Peace Corps Volunteer, Ecuador  
International Translation Service, Moorhead, MN  
Faculty for Minnesota Supreme Court Interpreter Program  
Certifications:  
AOUSC Certified, 1996—Minnesota Court Certification, 1995

WEBSITES OF INTEREST

Wisconsin Court Interpreter Program
Interpreter program of the Wisconsin Director of State Courts Office. Includes information on interpreter training programs, a court interpreter handbook, the proposed code of ethics for court interpreters, and interpreter statutes.
www.courts.state.wi.us/circuit/CourtInterpreter.htm

Inside the Federal Courts
The Federal Judicial Center’s new web site for easily accessible source of information about the federal courts.
www.fjc.gov/federal/courts.rtf

Cultural Orientation
Describes the culture and language of certain refugee populations.
www.culturalorientation.net/fact.html

Nobel Prize Internet Archive www.almaz.com

New York Spanish Interest Group web page
www.spansig.org/Translation/lingua/recursosTraduccion.htm

Spanish Slang Collection
www.jergasdehablahispana.org/index.htm
Compendium of Spanish slang by country, with musical accompaniment!

WELCOME  
NEW MEMBERS

January 1 – March 31, 2003

Alvarez, Daniel. Phoenix, AZ.  
Badonsky, Maria Gabriela. Oxford, GA.  
Barajas, Leticia. Omaha, NE.  
Boettcher, Ruth. St. Paul, MN.  
Bunting, Ursula. Milford, CT.  
Candelaria, Christina. Albuquerque, NM.  
Carbajoso, Jorge. Oak Park, IL.  
Chen, Connie. San Jose, CA.  
Didone, Ana. Houston, TX.  
Espinoza, Eileen. Chicago, IL.  
Flores, Jose. Phoenix, AZ.  
Galetta, Maria. New York, NY.  
Hermosilla Rosenthal, Liliana. Milwaukee, WI.  
Hillock, Patricia. Urbandale, IA.  
Kawakami, Yasuko. Honolulu, HI.  
Kool, Johanna. Vienna, VA.  
Korp, Bethany. Highland Park, NJ.  
Kucerova, Hana. Port Moody, B.C., Canada  
Levine, Margaret. Orange, CT.  
Li, Gang. Atlanta, GA.  
Lipkova, Lana. Loveland, CO.  
Mancebo-Meyer, Ninoksa. Shoreview, MN.  
Medina, Veronica. Albuquerque, NM.  
Mejia, Gabriela. Rahway, NJ.  
Mirza-Carpenter, Grace. Clinton Township, MI.  
Mitre, Monica. Austin, TX.  
Molina, Carlos. St. Thomas, U.S. VI.  
Nebbia, Selva. Jersey City, NJ.  
Oberheiser, Maria. Miami Beach, FL.  
Ortiz-Childers, Ramonita. Savannah, GA.  
Perez-Lopez, Rene. Norfolk, VA.  
Pifer, Tracy. Chugiak, AK.  
Rojas, Gerardo. Litchfield, CT.  
Samulowitz, Claudia. Lafayette, IN.  
Sannikov, Roman. New York, NY.  
Schnieder, Graciela. Wayland, MA.  
Schoening, Asa. Guttenberg, NJ.  
Steingart, Anna. Langhorne, PA.  
Stock, Kathi. Lewisville, TX.  
Tu, Paul. Mercer Island, WA.  
Whittaker, Jeffrey. Tampa, FL.  
Willmore, Garry. Phoenix, AZ.