



PROTEUS

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

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New York, NY

MILWAUKEE WATCH

**Few Interpreters, Low Wages
Clerk Says Change Must Come From State
Legislature**

NAJIT member Rick Kissell sent a story from the "Shepherd Express" [July 11, 1991] describing the Milwaukee County's "fast-paced, often chaotic" court system and its reliance on only one staff and three freelance Spanish interpreters to cover its caseload. Compensation is far below national norms: the staff interpreter is classified as a Clerk III- Bilingual, earning an annual salary of \$22,008, while the freelancers receive \$35 per half-day. At these rates it is a wonder that the few experienced interpreters in the area continue to be available to the courts.

While Circuit Judge William D. Gardner acknowledged that more interpreters at a higher rate of compensation are sorely needed, Clerk of Circuit Court Gary J. Barczak declared that "the system seems to be intact" and, in a letter to the newspaper editor, remarked tartly that "the current status of court interpreter needs has not brought the system to a grinding halt." The Clerk stressed that any change in the statute, which expressly provides for interpreter fees at \$35 per half-day, must come through the state legislature.

In response to the Clerk, Kissell wrote a letter to the editor to point out that the Clerk had taken no initiative to lobby the state legislature, raise the matter with the state Supreme Court or request incremental increases from the County Board for budgeting interpreting fees. What the Clerk did do was instruct the staff interpreter to refrain in the future from speaking to reporters.

The problems no doubt are far from over. Absent a total breakdown of the system or an explicit request for action from the Chief Judge, the Clerk is not prepared to bring the issue before a higher authority.

What can be done? Some follow-up is clearly in the interest of NAJIT members. The actions NAJIT could take include organizing a workshop in the Milwaukee area and writing to the Bar Association, the Chief Judge and the state legislature.

It may be time for NAJIT seriously to consider hiring a lobbyist who could make our concerns well known to state legislatures. Individual interpreters

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SUMMARY INTERPRETATION LEADS TO MISTRIAL

A case heard in the Federal District Court for the Southern District of New York resulted in a mistrial in January of this year after the judge learned that an interpreter hired by the prosecutor to interpret for a government witness had summarized some answers instead of giving a complete rendition of the testimony.

Trial minutes show that Judge Robert P. Patterson, in declaring a mistrial in *U.S. v. Huang, et al.*, agreed with a defense attorney that summary interpretation denied the defendants full exercise of their right to confront the witness.

Four other interpreters called by the Judge to comment on the matter agreed that the interpreter in question had given incomplete renditions. "At times he sort of digested and summarized, but most of the main point points were touched upon," said one. Another stated, "When the witness testified in short sentences, I think he [the interpreter] did a very good job. But when he talked in a few sentences, I know for a fact that he summarized."

The interpreter's shortcuts first became known when the witness complained to the courtroom deputy. The judge did not think it was the witness's prerogative to judge the interpretation and took no action until the other court interpreters, hired by the Interpreters Office to do the simultaneous, reported to the office and then to the judge that the interpreter on the witness stand was improperly summarizing the testimony. The inquiry which followed showed how little the parties understood about interpreting and how the word "certified" can be used to one's own advantage. According to the prosecutor, the interpreter, when questioned as to his qualifications, had stated that he "took a test for certification in the federal courts and never received the results." In fact, there is no federal certification test in Chinese and there has never been one.

This trial shows that courts are becoming more aware of the interpreters and of the important role they play. While it may not cause the interpreter in this case to learn to interpret faithfully and accurately, it may ensure that he will not be summarizing again on the witness stand in the Southern District of New York.

MESSAGE FROM THE BOARD

NAJIT got off to a good year with an excellent newsletter. Our appreciation to Dagoberto Orrantia and Nancy Festinger, who with the help of Mirta Hess, Daniel Sherr, Mirta Vidal and Chris Walker did a super job. We are getting a good response from the membership. Many have already sent in their membership renewal. Those who have not mailed in their \$50.00 membership dues, please do so now so you can be included in the 1992 Membership Directory.

News from the legal front: on January 8 of this year, the Federal Trade Commission issued a subpoena duces tecum to NAJIT, calling for us to submit many documents, listed in ten specifications, regarding the association's activities between January 1, 1987 and the present time. The main inquiry relates to rates for translation or interpretation services. Hundreds of hours have been devoted to digging up documents in response to the FTC's request for information. NAJIT has retained the services of New York attorney Daniel J. Ratner to assist us in responding to the subpoena by the March 7 deadline.

We understand that the American Society of Interpreters (ASI), the American Association of Language Specialists (TAALS), and the American Translators Association (ATA) have received similar requests from the FTC. We will keep the membership posted on this new turn of events.

The Public Relations and Shared Concerns Committee has submitted an article entitled **Judiciary Interpreting: A Demanding Task for Professionals** to Bar publications in Nevada, New Mexico and North Carolina. We received a favorable response from the editors of those publications. We look forward to a March or April publication date.

The article was a trial balloon to see if legal and judicial publications are willing to accept articles on judiciary interpreting and translating. It does appear that there is keen interest in these types of articles.

The Board of Directors has chosen Tucson, Arizona for NAJIT's next annual meeting on February 12, 13 and 14, 1993. The Board decided on those dates in order to avoid overlap with the ATA and CCIA meetings, usually held in November.

A. Samuel Adelo
Chairman

KUDOS

Fifty-four of the three hundred and ninety candidates who took the oral portion of the federal certification exam (Spanish-English) were informed by the University of Arizona, the test administrator, that they passed the test -- given last year for the seventh time since 1980 -- and are now certified to interpret from English to Spanish and vice versa in the federal courts.

For the unsuccessful candidates, the biggest stumbling block in the test, which included sight translation and consecutive and simultaneous interpretation, was conservation of register.

The names of those who passed have now been added to a list which the Administrative Office of the U.S. Courts circulates to all District and Bankruptcy Court judges, U.S. Magistrates, Executives and Clerks, Federal public and community defenders and Chief Probation and Pretrial Services officers.

The first phase, that is, the written portion of the next Spanish/English federal court interpreters certification exam is scheduled to be held in the spring of 1993.

CERTIFICATION IN NAVAJO AND CREOLE

The certification program was expanded in 1990 to include Navajo and Haitian Creole.

The University of Arizona has announced that the written portion of the certification exam for Haitian Creole will be on Saturday, May 23, 1992 at locations in Boston, Brooklyn and Miami. Interested persons should contact the Federal Court Project, Modern Languages Building, Room 445, University of Arizona, Tucson, AZ 85721.

TRANSLATION AND THE LAW

The American Translators Association plans to publish a volume in its scholarly monograph series on the subject of **Translation and the Law**. This collection, which must go to press in early 1994, is expected to include scholarly and professional assessments of current issues, practical papers on the training and experience of legal translators and interpreters and theoretical papers on the linguistic difficulties which arise when different legal traditions come into contact. Proposals for contributions to this volume, suggestions of topics and particularly names of persons with expert knowledge in these and related areas are welcome. Contact: Marshall Morris, Translation Program, University of Puerto Rico, Box 22613, UPR Station, Río Piedras, PR 00931; (809) 756-4093; FAX (809) 758-8693.

REAL TIME TRANSLATION: A NEW TOOL FOR THE COURT INTERPRETER

Four monitors were spread around the court -- one in front of the plaintiffs, one in front of the defendants, one in front of the judge, one in front of the interpreter. The lawyer squared off with the witness. "Mr. Jones," he bellowed, "do you not remember having testified, just ten minutes ago, in this very court, '.....'?" He then read five minutes of testimony off his screen into the record.

The interpreter did not let this faze her. She scrolled back on her screen and rendered a verbatim translation of the lawyer's words.

This system, called RTT, or Real Time Translation, allows trial participants instant access to the stenographic record. Ironically, this new technological breakthrough in court reporting comes at a time when some courtrooms are trying to eliminate court reporters altogether, and replace them with tape recorders. I had the chance to evaluate the system, now in use in about 20 state and federal courtrooms throughout the country, as it was applied in a recent trial. Actually, as will be seen, RTT was only one aspect of a trial in which interpreters took several precautions to insure translation accuracy.

In January 1992, the case of Honeywell vs. Minolta Camera Company Ltd. and Minolta Camera Corporation went to trial in Federal District Court in Newark, New Jersey. According to some estimates, as many as a dozen witnesses testified in Japanese, and one witness was on the stand for seven days. Because of the technical nature of the case and the tremendous volume of interpreted testimony, the attorneys requested "real time."

The task fell to Charles McGuire, the only court reporter in the area who had the necessary hardware, software and dictionary prepared for the task. Judge Alfred M. Wolin's courtroom was equipped with four monitors -- one for the judge, one for each of the litigants and one for the interpreter. As McGuire typed the proceedings, they were cabled to a host PC in an adjoining room, where scopist Susan Crapanzano edited the testimony as it appeared. The text appeared on the courtroom screens about three words behind the actual speaker -- virtually simultaneously. By the end of the day, the text, having been edited as it was uttered, was ready for printing.

In this technical trial, which dealt with photo optics and electrical engineering, the ability to have instant access to the court record via RTT benefitted all parties -- the judge, the lawyers and the interpreter. The software comes equipped with a search function, so that if a lawyer wants to confront a witness with previous testimony from that day on cross-examination or on redirect (In your testimony, didn't

you say, Mr. X, that?), he only need search for a key word to find the exact words uttered by the witness. Says Judge Wolin, "This eliminates two constant objections we see: 1) inaccurate portrayal of the testimony, and 2) characterizing the testimony. We find these type of objections are both time- and resource-depleting, and should be eliminated to the greatest extent possible."

If a party requests that a question be read back, the lawyer has the question right in front of him on the screen. No need for the court reporter to flip through his hard copy, find the question, and read it back. "As reporters," said McGuire, "we try to give a question readback as little emotion as possible, and just read it in flat fashion." With Real Time, a lawyer can read back his own question using the same intonation as when he asked it originally.

Judge Wolin feels that RTT is especially suited to the "highly complex or the scientifically oriented flow of evidence." In the Minolta case, he said, "I believe that the lawyers had to educate themselves in order to present the case. So the questions were lengthy and often difficult to follow. Without the screen, I would have missed part of the question, and potentially, wouldn't have understood the answer."

Indeed, it was the very length and complexity of the questions that made the screen such an important tool for the interpreters working on the case. The screen was an invaluable aid to the interpreter translating the lawyers' questions from English into Japanese. "I don't think the interpreters could have as effectively performed their interpreting function without being able to read the English on the screen and translate that to Japanese, because the questions were so long and complex," said Judge Wolin. "They needed those screens, and I am sure that although the jury and the court found the procedure took an exceedingly long period of time as it was, it would have been much longer, much more frustrating to everyone without screens."

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DON'T BOGART THAT MIKE

Microphone etiquette among interpreters, while taken for granted by some, remains a mystery to others. Are there really "rules"? Who set them? Where are they written down?

There are no absolute rules, but common sense and experience have yielded certain practices which ease transitions and obviate the need to re-negotiate terms every time you work with a new partner.

In the interest of promoting good coordination among interpreters who work in tandem, some suggestions are outlined below. Both neophyte and seasoned interpreters would do well to review them as a matter of principle.

1. **FIFTY-FIFTY** The idea is for each interpreter to work equal shifts. No one likes to feel useless. When two interpreters are assigned to a case, two should work, evenly dividing the workload between them.

2. **HALF AND HALF** In simultaneous interpreting, half-hour shifts are the basic unit. There is a historical reason for this: studies conducted of United Nations interpreters have shown that accuracy and mental agility greatly decrease after 30 minutes of simultaneous interpreting. United Nations interpreters fought hard to establish this norm, and court interpreters have followed it.

No rule is hard and fast. You can decide to do 45 minute shifts if you wish. Occasionally, you may have to continue in a trial for an hour or more alone because your partner has been pulled out to cover another case.

When discourse is complex or technical, such as in legal argument or a charge to the jury, interpreters often agree beforehand to switch every 15-20 minutes because they know the material will prove mentally taxing.

3. **TIME-KEEPER** Each interpreter should keep track of the shift's duration. If you tend to lose track of time, write down the time when you begin and look at your watch every once in a while after that. Eye contact with your partner is effective and unobtrusive. A simple nod will signal to the relief interpreter that it is time to switch.

If it is your turn to take over and your colleague seems unaware of the time, wait an extra few minutes, try to establish eye contact and signal that time is up; if the mike is still not forthcoming, a friendly tap on the shoulder may be called for.

4. **PASS THE BATON** The person on the mike is responsible for passing it. If the relief interpreter is a distance away, the first interpreter should approach and hand over the microphone discreetly, preferably not in mid-sentence. Olympic runners know at what place in the road the flame will be passed; interpreters, too, should know when their part in the

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HARD RESEARCH AND HIGH STANDARDS

To the Editor:

I quite agree with the standpoint voiced in the "Research Update" column [Winter, 1992] calling for more "hard" research on court interpreting. However, in my professional and personal view, an individual would be hard pressed to design a research instrument to tap the skills of an interpreter *on site*, where subtleties of performance do not translate easily to pen and paper.

Proficiency in two or more languages in and of itself does not suffice to make a good, reliable interpreter. Poor judgment, the failure to adhere to the narrow and well defined parameters of the role, irresponsibility regarding time deadlines and other variables can severely compromise the integrity of a translation rendered by a linguistically competent individual. It is such behavior that I find most disturbing in the profession. Those most likely to act in a way that compromises their performance are least likely to be revealed by self reporting or measurements of their linguistic abilities. Unprofessionalism of any kind by one member of our community reflects poorly on all of us. Sometimes an interpreter is advised by the judge to do nothing more nor less than interpret what is said. Why should it be necessary to state the obvious, unless a bad precedent has been set?

I applaud Varela-Ibarra's cogent review of relevant research and agree that the arbitrary complexity of legal language at times impedes comprehension by those involved. Linguistic complexity is often further exacerbated by participants' inexperience with "timing" when testifying through an interpreter. Complexly phrased questions or answers are sometimes stated without reasonable pauses. Interpretations are interrupted by attorneys' questions, or by witnesses who attempt to respond before hearing the complete interpretation. These combine to complicate the task of accurate interpretation. Increasing the awareness of those less experienced with the interpretation process regarding the need for simplified phrasing and timing would certainly benefit us all.

LAURIE KUSLANSKY
New York

NETWORKING

To the Editor:

As a newly certified interpreter, I found all issues in your articles very interesting, especially "Items of Interest" and "Networking". I would like to attend courses geared to professional advancement, and *Proteus* is a perfect source of information.

As to "Networking", all points were excellent. I would like to contact colleagues, starting with the ones in my area. Please send me names of such certified interpreters.

MARIA LONGLEY
Bloomfield Hills, Michigan

RESEARCH UPDATE

TRANSLATION STUDIES AND DISCOURSE PROCESSES

If you enjoyed Almodóvar's film *Atame*, *Atame* [the title was translated as *Tie me Up! Tie me Down!*], you'll understand why if locked in a library I'd be disposed to tell them to throw away the key. A library is paradise to lovers of language--of the word, which was, is and will be--and language is not only the "toy" that some of us "rely on most frequently to alter our states of consciousness," as Ellis and Donohue might conclude [see below]; it is the "tool" that most of us reading this publication use to earn our daily bread.

But before you rush to the library to scan the journals for the latest research in translation studies--the field includes interpreting-- you ought first to familiarize yourself with *Contemporary Issues in Language and Discourse Processes* by Donald G. Ellis and William A. Donohue, published in 1986 by Lawrence Erlbaum Associates [365 Broadway, Hillsdale, New Jersey 07642]. If the terminology is new to you, the references at the end of the chapters may be of help. If not, read an introduction to discourse analysis. One such introductory book, in Spanish, is *Introducción a la lingüística del texto* by Enrique Bernardez [Madrid: Espasa-Calpe, 1982]. Much of the research you'll find in journals these days is written in the language of discourse analysis.

Of the four journals that I scanned for this column -- and I only looked at a few recent, representative issues -- *Language in Society*, *Language Learning*, *A Journal of Applied Linguistics*, *Language*, and *Language Teaching*, it was the latter that I found most valuable for translators and interpreters, in spite of its title. One can find worthwhile articles in all four publications, however. Some examples follow.

If you are interested in medical interpreting, for instance, you'll want to read "Accounting practices in medical interviews," by S. Fisher and S. B. Groce [*Language in Society*, 19, 2 (June 1990), 225-250]. "Accounting" refers to the accounts that both doctors and patients offer

and how they respond. The authors describe the medical interview as "a moment-to-moment battle that mirrors and largely sustains the institutional authority and status of doctors and the reality of genders." How does the medical interpreter fit in? What part does she play in the battle? Do we have any research that addresses the issue?

Test takers or interpreter trainers may be interested in "Language anxiety: its relationship to other anxieties and to processing in native and second languages," which appeared in *Language Learning* [41, 4 (Dec. 1991), 513-534]. And for trainers wishing to go deeper into linguistic issues *Language* recently published "A discourse explanation of the grammar of relative clauses in English Conversation," [66, 2 (June 1990)] which may or may not make life easier for us.

But it is *Language Teaching*, "the international abstracting journal for language teachers and applied linguists" (are translators and interpreters to be considered applied linguists?), a joint endeavor of The Centre for Information on Language Teaching and Research and The British Council, that I'd suggest you lobby your library for a subscription or spend your hard-earned dollars on. Members of the editorial board scan some 400 journals from many countries, and Valerie Kinsella [63 Long Ashton Road, Long Ashton, Bristol BS18 9HW England] compiles and edits the entries. Published by Cambridge University Press, *Language Teaching* is divided into four main subject areas: 1) language learning and teaching, theory and practice; 2) teaching particular languages; 3) research in the supporting sciences; and 4) language description and use. Sections three and four are the most valuable for translators, interpreters and trainers. Recent abstracts include: "The role of memory in teaching liaison interpreting" by Christoph Zahner [*Multilingua* (Amsterdam) 9, 3 (1990), 297-311]; "Reader, text, translation, and interpretative potentials" by Cay Dollerup and others [same issue of *Multilingua*, 271-284]; "Evaluating student translations by discourse analysis" by Marsha Bensoussan and Judith Rosenhouse [*Babel* (Budapest), 36, 2 (1990), 65-84]; "Thematisation across machine and human translation: English to French" by Betty Lou Dubois [*IRAL* (Heidelberg), 28, 1 (1990), 43-65]; "The not so harmless drudgery of finding translation equivalents" by R. K. Hartmann, *Language and Communication*

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RESEARCH UPDATE

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(Oxford), 10, 1(1990), 47-55]; and "Cognitive aspects of the translation process" by Wolfram Wilss [same issue of *Language and Communication*, 19-36].

Abstract sources come from a number of languages other than English. "Décrire des discours produits dans des situations professionnelles" by Sophie Moirand [*Français dans le monde* (Paris) Aug/Sep 1990, 52-62] focuses on the idea that "language is not normally used simply to inform, but to exercise power and to cause the addressee to act in a certain way."

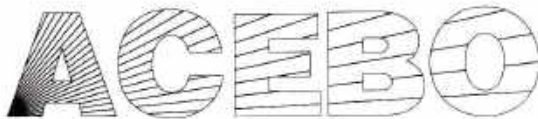
Again, the question for us is: how does the interpreter or translator fit in? We can be as ethical as our association wants us to be, but we must remember that our users (who may or may not be our clients) want to win and will use us for that purpose. In non-judicial situations the client's intent is more obvious. Last year while in Barbados I was hired by a South American client to be his interpreter. After our first

outing it was clear from his debriefing that he did not want an interpreter but a salesman. Not interested in a third career, I stopped working for him.

In addition to abstracts, *Language Teaching* includes a section on books received, a very valuable report on current research projects and, every January, a full list of all journals scanned.

[José Varela-Ibarra]

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



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REAL TIME

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Judge Wolin directed that at all times there be a "primary" and a "checking" interpreter (one hired by Honeywell, the other by Minolta), who would alternate at regular intervals. "The primary interpreter would interpret, and we evolved the rule that if there was a material mistranslation, then the objecting or checking interpreter would consult the primary interpreter, and the primary interpreter had the responsibility for saying, 'Judge, the translation is correct,' or for determining that she would revise her interpretation in accordance with the checking interpreter's suggestion. I would say that the system worked, because I would estimate that the primary interpreters changed their translations 50% of the time, after consultation with the checking interpreter."

"So," concluded Judge Wolin, "they didn't stand on their high horse, and they weren't obdurate, and they didn't develop the attitude of 'How dare you challenge my translation?' They realized that it was a difficult task, and they were looking for all the help they could get. And sometimes a person who was concentrating on the question, and taking notes in Japanese, and a person who was just listening, might pick up different nuances."

How would RTT work in a criminal case? This writer had the opportunity to work with the system on a Spanish-language drug case in federal court. Reliance on the screen with no note-taking is more time-consuming, may further interrupt the examining lawyer's rhythm, and may result in a less smooth rendering into Spanish. However, if the interpreter is taking notes and has the question retained in short-term memory, except for maybe a key date, time, or some other bit of information, a glance at the screen can fill in the gaps and provides for a much more fluid translation. (e.g., Mr. González, when you left Cookie's Bar at 9:00 PM on the night of the 29th, were you alone, or were you with el Pato and el Tigre? Any one of these missing scraps of information could be supplied by a quick look at the monitor.)

The Honeywell vs. Minolta case featured two interpreter-related safeguards in the event of appellate scrutiny: 1) there were two interpreters present in court at all times, each listening attentively to the other; and 2) all testimony and translation thereof were tape-recorded. Did Judge Wolin believe this would be good practice for any foreign-language case?

"There is so much Spanish and English spoken in the United States and there are so many Hispanic members of our society, that I don't think there would be much disagreement in translation unless it were a particular facet of the Spanish language," he remarked. "If there are people in the courtroom who are knowledgeable in the foreign language, and they believe that the translation is suspect, it is their

obligation to call it to the attention of the court, and in that situation, the court would probably call for a checking interpreter. I have never had any objection occur in any other language than Japanese, where someone said the interpreter was not interpreting with fidelity to the language."

What if there is no one in the courtroom besides the interpreter who is knowledgeable in the foreign language? "You must remember," cautioned Judge Wolin, "that before any interpreter testifies before a court of competent jurisdiction, there is a voir dire examination of the interpreter as to credentials, and that the interpreter takes an oath to interpret accurately and without embellishment what the witness says. I have not found that to be a problem."

In the meantime, RTT continues to gain converts. Court interpreters would do well to become acquainted with this increasingly important part of the judiciary landscape.

Real Time is for real.

[Daniel Sherr]

Nada del Otro Mundo

Diccionario Esencial Santillana
de la Lengua Española
Sergio Sánchez Cerezo
Madrid: Santillana, 1360 pp.

Con el título de *Diccionario Esencial* salió a la luz un nuevo léxico de nuestra lengua digno de comentarse. Llama la atención antes que nada su original formato: mide apenas nueve pulgadas de alto por seis de ancho y dos de grueso, y es bien liviano. Sus 1360 páginas, a dos columnas las primeras 1325, son de fácil lectura. Es un libro cómodo de manejar.

Para una obra tan compacta, los elementos de sus entradas son numerosos y valiosos: el lema, su categoría gramatical, términos compuestos en que figura el vocablo, observación gramatical cuando es del caso, sinónimos, antónimos y homónimos, además de conjugación de las formas irregulares. En la mayoría de los artículos se da la etimología de la palabra. Contiene asimismo americanismos de uso más frecuente, algunos términos de la jerga, neologismos y extranjerismos. Las entradas están alfabetizadas, pero la *ch* y la *ll* están incluidas en la *c* y la *l*, respectivamente, por no considerarse letras independientes.

Antecedan al léxico un prólogo de Gregorio Salvador, académico de la RAE, unas indicaciones sobre el uso de la obra, una lista de los elementos de las entradas, las abreviaturas empleadas y un índice de las ilustraciones, las cuales pasan de cien. Al final contiene un apéndice de utilidad didáctica: gramática del español, ortografía, dudas frecuentes

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NADA DEL OTRO MUNDO

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del español, tanto de carácter ortográfico como gramatical, y tres tablas de conjugación de los verbos regulares.

Es sin duda un libro útil para los estudiantes y maestros de nuestra lengua y para todos los interesados en ella. Como herramienta de traductores e intérpretes adolece de la misma limitación que cualquier otro repertorio lingüístico: ninguno es completo. Sin restarle su mérito, para los intérpretes de tribunales y traductores de materia legal no es nada del otro mundo, pero es correcto en conceptos y definiciones. Veamos algunos ejemplos tomados al azar:

CORTE: Como tribunal de justicia, lo califica atinadamente de americanismo.

EVIDENCIA: No tiene absolutamente el sentido de prueba en lo jurídico. La locución adverbial en **evidencia** significa en ridículo, jamás en la acepción de prueba admitida de la expresión inglesa in **evidence**.

BUFETE: Despacho y clientela de un abogado.

AUTO: Resolución judicial, fundada, que decide sobre cuestiones parciales o secundarias, para las que no se requiere sentencia: **auto de prisión**, **auto de procesamiento**.// Pl. Conjunto de las partes que comprende una causa criminal o un pleito civil.

JUEZ: Al igual que el diccionario de la Academia, el Pequeño Larousse y el de María Moliner, no registra el femenino de esta voz, barbarismo usado por algunos. Las acepciones que da de esta palabra en su sentido jurídico no son tantas como las que se hallarían en un léxico especializado.

Tampoco ha de esperarse muchas voces del argot de las drogas en este repertorio, tales como **bazuca**, **traquetear**, **caleta**, **caletero**, **tula**, y muchísimos más de uso frecuente entre los traficantes de narcóticos. Huelga repetir: no se trata de un diccionario especializado, como tampoco lo es tocante los americanismos.

En vista del somero análisis que antecede, cabe preguntar: ¿Debe el intérprete de tribunales adquirir este libro? Para el intérprete, como para el traductor, todos los diccionarios son útiles ya que ninguno es completo. La perfección es un ideal, a menudo distanciada de la realidad, si no divorciada de la misma. Para mí, todos los diccionarios son provechosos y ya tengo otro nuevo en mi atiborrado cuarto de soñar.

[Cándido A. Valderrama]

MICROPHONE ETIQUETTE

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relay ends and someone else's begins.

5. DON'T BOGART THAT MIKE, MY FRIEND Humphrey Bogart was known for smoking his cigarette down to the butt. Thus, the verb "to bogart." In the '70s a popular song lyric was, "Don't bogart that joint, my friend, pass it over to me." Likewise, it is bad form for an interpreter to bogart the mike. No one likes to beg for a microphone that is not willfully relinquished. If a relief interpreter approaches, do not wave him or her away with a gesture that is visible to everyone in the courtroom.

6. MICROPHONE POSITION It is inadvisable to croon, kiss the mike or hold it too close to your lips. If it is less than an inch from your lips, it is too close for the hygienic comfort of your colleagues and may also cause extraneous noise for the listener.

7. TIME OFF = TIME OUT? On the half-hour that is not your turn, you are theoretically free to leave the courtroom and make a phone call, look something up, or answer a call of nature.

If your partner remains close by, this does not mean he is waiting for your first slip of the tongue. It is preferable for both interpreters to remain in the courtroom, not only to follow the case but because it is good form to be on hand to assist and back up your partner. It may be necessary to help with terminology, sight translations or, in multi-defendant cases, with attorney-client communications. Help is especially appreciated if one interpreter feels ill, insecure, or for other reasons is having a bad day; if complex argument will be coming up; or if a defense witness is about to take the stand and one interpreter is more familiar with the facts of the case.

8. BREAKS - DO THEY COUNT? Most trials have a mid-morning and mid-afternoon break of five to fifteen minutes. Some interpreters prefer to count their half hour as thirty minutes of talking, and if a break interferes, they will continue on the mike until their actual talk time is up. Decisions of this sort are made between partners in a few words, or in a note.

If you have just returned to the courtroom to begin your shift and your partner says, "We just had a break; I'll do 15 more minutes," it is impolite to insist otherwise. Hand signals also help to signify how many minutes remain until the shift change.

8. SWITCHING ON THE WITNESS STAND Relief is just as important on the witness stand as during simultaneous interpretation. The only difference is that one's concentration lasts longer in consecutive. Hence, interpreters will agree between themselves when to switch, depending on the length and

(continued on page 9)

MICROPHONE ETIQUETTE

(continued from page 8)

difficulty of the testimony.

If the testimony will be brief, i.e., under one hour, no relief is usually necessary, and the same interpreter will do both the direct and the cross-examination, and re-direct, if any. However, with lengthy testimony, it is a good idea to switch every hour, or at a convenient breaking point: during a sidebar conference, during the transition from direct examination to cross, after a recess.

While a colleague is interpreting on the witness stand you should be present not only to hear the testimony, but to be available for consultation: (1) if the primary interpreter is unsure of a given translation; (2) if the primary interpreter makes an error of material fact that needs to be corrected; or (3) if the attorneys or judge question the interpretation of a particular word or phrase.

General Pointers

Always check your equipment before the proceeding starts. Make sure the transmitter is plugged in, functioning and conveniently located. Test the headphones to see if they are in working order. Keep some extra headphones handy in case the batteries run low during the proceeding.

Talk to your partner. Some negotiation always takes place: who starts in the morning, who will start with a witness on the stand, etc. It is always best to accommodate your partner's preferences, if it makes no difference to you.

Never grab a microphone out of someone else's hands.

Be prepared for the rare occasion when the mike may be passed to you unexpectedly. This will happen if your partner has a coughing fit or any other physical symptom requiring immediate attention.

When you talk to your partner during breaks, be sure to cover the microphone with your hands so the defendants are not privy to your personal conversations.

The microphone is a tool to assist the interpreter: use it to your full advantage. It is a great improvement over whispering, an inconvenience that can impair both your posture and your health. With a mobile microphone, the interpreter can move closer to the source of sound, which promotes a smooth and concentrated delivery.

[Nancy Festinger]

MILWAUKEE WATCH

(continued from page 1)

do not always have the time or experience to approach legislators effectively. Monitoring conditions in various states could well become a full-time job for NAJIT committee members.

It is the editors' view that we will not see significant changes in fee structures until 1) interpreters are not available for these courts, or 2) a tireless campaign is undertaken to raise the judges' consciousness regarding the highly specialized work and ethical integrity required of court interpreters. Otherwise, judges will continue to rely on "interpreters" who tell the court, as reported in the article, "Oh boy, this is going to be fun. I haven't spoken Spanish since high school." If this is fun in American courts, when is it time to get serious?

LONG, LONGER, LONGEST?

Interpreters at the witness stand usually try to exert some control over the length of utterances that they have to interpret consecutively. At times, however, lawyers' cant or plain muddleheadedness prevent the interpreter from knowing just where the question is going or where it will end. This can lead to exchanges such as the following, which was heard recently in the trial of U.S. v. Prada, et al.

Q: Isn't it true that on November -- that on September 10, 1991, in your conversation with Agent Mandrafina in relation to this case, you told him that you were met at the Macy's stores in Queens, from where you drove to a row house in the middle of the block where you met Pillsbury, his wife and children and some other unknown individuals, that Plinio then arrived, that you all talked, the money was left and arrangements were made to get the cocaine, and a couple of weeks later the product arrived, being delivered by Skinny and an individual known to you as Tiberio in an old Volkswagen, isn't it true that that's what you told Agent Mandrafina about your trip to New York at Macy's and your deal with Tiberio -- with Pillsbury and Plinio?

A: Excuse me, you confused me. Could you say that again?

Q: I cannot say that again. I ask that it be read back.

ITEMS OF INTEREST

May 27-29, 1992. Montreal, Canada: Third Congress of the Regional Center for North America (RCNA) of the FIT, "Translating in North America—A Community of Interests." To be held at Hotel Méridien. Workshop on Court Interpreting, May 29, 10:30-12:00; Translating and Interpreting Native Languages, May 29, 1:30-3:00. For information, contact: ATA (703) 892-1500 or FAX (703) 892-1501

June 1-19, 1992. New York, NY: Summer Institute in Judiciary Interpretation, Spanish/English. For information, write or call: Coordinator, Summer Institute in Judiciary Interpretation, Foreign Language Dept., NYU School of Continuing Education, 2 University Place, Rm. 55, NYC 10003; (212) 998-7030

July 3-7, 1992. Brownsville, Texas: Summer Interpreters' Institute, U of Texas at Brownsville. Interpreting and terminology development workshops with U.S. certified court interpreters. For information, contact José Varela-Ibarra (see page 6).

July 13-31, 1992. Tucson, AZ: Summer Institute for Court Interpretation at the University of Arizona. For admission requirements and other details, contact: Dr. Roseann Dueñas González, Director, Summer Institute for Court Interpretation, ML # 67, Room 445, University of Arizona, Tucson, AZ. 85721; (602) 621-3687

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

September 5-6, 1992. San Juan, PR: First Symposium on Translation of the Asociación Profesional de Traductores e Intérpretes de Puerto Rico. Keynote speakers: Peter Newmark (England) and Marina Orellana (Chile). Panels to include "El traductor en la primera línea de defensa del idioma" (Angel Casares). Of particular interest will be the panel "El idioma, el traductor y la ley," in which translators and attorneys will discuss the implications of (1) Spanish as the official language of Puerto Rico and (2) a proposed bill to create a Colegio that would

establish an examining board for translators. For information: Janis Palma, Project Director, PO Box 324, Old San Juan, PR 00302 or FAX (809) 268-3818

November 4-8, 1992. San Diego Princess Resort, San Diego, CA: 33rd Annual Conference of the American Translators Association, "Frontiers." For information, contact: ATA National Headquarters, 1735 Jefferson Davis Highway, Suite 903, Arlington, VA. 22202; (703) 892-1500 or FAX (703) 892-1501.

Nearly one hundred interpreters, translators, attorneys and judges attended the opening of **The Helen Alvarez Library for Translators and Interpreters** in San Diego last December. Its holdings include reference books, dictionaries and documents in several languages as well as tapes and listening equipment for study and practice. The volunteers who run it hope to add computers and copiers. Money is being raised through weekly luncheons, book sales, donations and rental of a conference room. The library is open to active and aspiring interpreters and translators. It is located at 1140 Union Street, Suite 213, San Diego, CA 92101. If you would like to contribute or receive more information, call: Ruth Conrique at (619) 475-8586.

Computer Pros Wanted

Proteus invites translators experienced in computer technology and software to write articles about computer-aided translation with particular application to court interpreting. Write to Editors.

RECOMMENDED READING

Johnson, George (1991). In the palaces of memory. New York: Vintage.

A fascinating exploration of recent neuroscientific research on what, why and how we remember.

Schulte, Rainer & Biguenet, John (1992). Theories of translation: An anthology of essays from Dryden to Derrida. Chicago: The University of Chicago Press.

Diverse articles, some hard-to-find, focusing on literary translation, collected under one cover by the editors of The craft of translation.

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