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# PROTEUS

THE NEWSLETTER OF THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS AND TRANSLATORS

# THE VOICE OF JUSTICE: INTERPRETING DOMESTIC VIOLENCE CASES

Vivian Huelgo, Saveen Kaushal, Purvi Shah & Catherine Shugrue dos Santos

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CALL FOR PAPERS Page 15 "I work mainly in Queens Family Court, which has the largest number of South Asian-speaking clients and one of the largest numbers of other Asian languages. And what I have seen has been so much less than satisfactory. The Family Court is an intimidating place – like any court. In some ways it's even more so. They are asking for orders of protection, custody, support – very important matters, vital matters for them. And if they don't have an adequate interpreter, they are voiceless before the court." — Florence Roberts, Queens Legal Services in Creating Community Change, a film by Sakhi for South Asian Women

urvivors of violence seek justice as a way to heal from their experiences and gain support for the future. In their journey to safety, survivors of domestic violence often turn to the courts to be the arbiter in issues related to orders of protection, child custody, maintenance, and/or divorce.

The criminal justice system plays a crucial role in the lives of many immigrant survivors of domestic violence, sexual assault and child abuse. Survivors who are unable to communicate directly in English must convey their traumatic experiences through court interpreters in the hope of obtaining relief through the courts. In our experience as advocates who accompany survivors to court, we have seen many court interpreters who work hard to do their complex jobs well. We have witnessed the positive impact that a trained, professional interpreter can play in ensuring that a case proceeds and that the judge and relevant parties have the fully-translated information needed to make the critical decisions they deliver for families confronting violence. Yet we have also witnessed interpreters who do not speak the language fluently and others who offer legal advice, break ethical standards, or harass survivors of abuse.

In this article we will provide background on domestic violence, describe barriers that may stand in the way of accurate interpretation, and suggest ways to enhance the professional capacity of interpreters who work on such cases. We hope that this information will encourage all courts to rise to the professional standards that NAJIT espouses and ensure that immigrant survivors can receive fair and equal treatment when seeking legal remedies.

### The context of domestic violence

Domestic violence can be defined as a pattern of behavior, exerted by one member of an intimate or familial relationship over another, designed to coerce and control. Domestic violence can take many forms, including physical, sexual, emotional and economic abuse. It is well-documented that domestic violence is rampant in the United States, with more than 1.3 million women abused each year.<sup>1</sup>

Domestic violence is not a problem unique to the United States. Around the world, at least one in every three women has been beaten, coerced into sex, or otherwise abused during her lifetime.2 A recent study by the World Health Organization found that intimate partner violence is a worldwide epidemic, and that women are more likely to be injured, raped, or killed by an intimate partner than by a stranger.3 All survivors of violence face barriers: shame, fear, and diverse social stigmas. Immigrant women, in particular, face additional hurdles to pursuing lives free of fear: they are especially vulnerable for many reasons, including a lack of awareness of their rights and options in this country; a lack of understanding and fear of our judicial and legal systems; limited English proficiency (LEP); the absence of social or family support networks; and the tendency of batterers to use immigration status and threats of deportation as tools of isolation and abuse.

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## Message from Chair Raïnof

## National Trends and NAJIT

'n our increasingly global society, multilingual and multi-cultural communication has become not only a constant reality but an absolute must for survival and progress. Yet, in language acquisition as well as in more advanced language training, we have been extraordinarily lax. October 4, 1957 had been for our nation a wake-up call. On that day the Soviet Union launched Sputnik on its way (for Russian speakers, the pun is intended). Soon massive amounts of money were pumped into teaching Russian and other languages deemed sensitive, as well as into comprehensive curriculum development in the sciences. By 1970, not only had the U.S. put a man on the moon but we had also trained an army of Russian specialists. When we as a nation decide to pull together, the results can be truly astonishing.

However, as is our history with matters linguistic, we became lax again. In the 1970's, language requirements began to be eliminated in many universities ("Everybody speaks English anyhow"; "What use is French or Arabic in my dental practice?"; "Why lower my GPA by taking a time-consuming foreign language?", etc.). The importance of language training and preparedness was all too commonly relegated to an area beyond our government's budgetary horizon.

Language policy became confused and confusing, depending on the party in power. One ideology in our country has favored using the powers of the State to support minority languages and utilize the vast linguistic capital of our heritage language speakers, while the other has sought to enforce English as the country's only public language, for the sake of national unity. In political terms, the Democrats for the most part have supported the first ideology and the Republicans the second (see Ronald Schmidt Sr., Language Policy and Identity Politics in the United States. Philadelphia: Temple University Press, 2000). This largely accounts for the sudden shifts in language policy that have plagued us for some thirty

years, from the early 1970's to our second and most painful wake-up call, the horror of September 11, 2001.

But a year after Schmidt's book was published, the language policy pendulum seems to have stopped swinging. A new awareness has emerged that the two views, which for decades were at odds with each other, can, if taken together, help enhance security both at home and abroad, unify our nation, and enable us to retain a competitive edge in world markets.

This new awareness and spirit of cooperation has resulted in important steps by our government and the private sector, and NAJIT has been called to play a part in these developments. A Translation Summit held on March 20, 2006 in Salt Lake City was testimony to our nation's resolve to avoid the mistakes of the past and pursue a linguistic preparedness plan to help insure our welfare in the future. The Summit brought together top representatives in the area of translation and interpretation from government, the private sector and academia. Marian Greenfield, ATA President, represented the private sector. Glenn Nordin, Office of the Under Secretary for Intelligence, and Everette Jordan, Director, National Virtual Translation Center (www.nvtc.gov), represented our government. En passant, both Mr. Nordin (known in government T/I circles as Obi Kenobi) and Mr. Jordan speak Russian fluently, and the latter also has added Arabic to his repertoire. Both were trained at the Defense Language Institute in the post-Sputnik days. Dr. Ray Clifford, who for many years ran the language programs at the DLI and is current Associate Dean at the College of Humanities, Brigham Young University, welcomed the participants. I represented academia, and also wore my NAJIT Chair of the Board of Directors hat. Professors Sue Ellen Wright of Kent State University and Alan K. Melby of Brigham Young moderated the afternoon panels on

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# TRANSLATORS IN THE U.S. MARKET: SPEARHEADS OR SPEARCHUCKERS?

Walter L. Krochmal

imple Spanish words are becoming familiar even to the aggressively monolingual. Political candidates in the U.S. sprinkle (or pour) Spanish in their campaign speeches. Advertising copy in Spanish — good, bad and ugly — is suddenly sprouting up everywhere. Characters on prime time speak Spanish for stretches with no subtitling or dubbing. Special news and entertainment programs now feature simultaneous interpreting into Spanish. (Activate the Secondary Audio Program feature included in most TVs built after 1997, and hear the dialog in Desperate Housewives, CSI New York, and other shows in Spanish.) Popular culture and the media are saturated with such indicators, and with the high profile of Hispanics in recent mass demonstrations nationwide, do we need further proof that Spanish is becoming normative? Clearly, the big players in government, business and the media (after much hemming and hawing) have begun a mad rush to woo the Hispanic markets in the U.S. for votes and purchasing power.

After decades in which opportunities for U.S.-based Spanish language professionals seemed a tantalizing mirage, translation has suddenly acquired prominence. However, as profits grow

and employment opportunities continue to multiply, chances are good that companies will move to reduce compensation to these professionals, or replace them with amateurs because "everybody speaks Spanish." How do we respond effectively? First, we need to understand that much of the work cannot be outsourced for a variety of reasons, so we have the clout and opportunity now, if we play our cards right, to help lay the ground rules to dignify translation expertise, which will allow experienced translators to share in the benefits of this market. Second, as translators we must begin to critically examine our own work as individuals and that of our peers, to help shape—as shape we must—a distinctly Stateside culture of professional language services.

Fittingly, then, the *VII Annual Conference on Translation* and *Interpreting*, co-sponsored by IntradES-Apuntes and the Instituto Cervantes, held at the latter's landmark headquarters in Manhattan on February 27, 2006, focused on translating (to the exclusion of interpreting) for the Spanish-language demographic. Five Spanish-language experts addressed an audience of emerging and established translators, interpreters, educators and representatives from government and private sector entities. The Instituto Cervantes, which has forged a reputation for broad-minded and avant garde programming, provided an ideal setting for the event.

Leticia Molinero, president of InTradES-Apuntes and editor of the online magazine, opened the conference by suggesting that translators need to treat their work as journalists do, to move

beyond the standard dictionary inquiries and conduct "extralinguistic reality checks" unbidden. She pointed to "the limited culture of translation here in the U.S," as setting us apart from Europe, because most translators and interpreters here come from other disciplines ("the empiricals"). Let's consider this a strong point, in that most of us see the work of translation as a cultural or artistic pursuit. Now we simply need to make the adjustment to treat it as a lucrative business. Molinero also mentioned another powerful argument for using U.S.-based translators rather than outsourcing: to avoid the mistranslations that come from amateurs or those who don't fully understand the original. This reminded me of a literary agent's tale about U.S. publishers who turned to Latin America to get books translated into Spanish on the cheap: the translations came back loaded with Spanish regionalisms that just could not span the rainbow of Spanish speakers here, and often did not capture the original English.

María Cornelio, medical translator, literary consultant, and

former Columbia University professor, turned the focus to the playing field. She has tracked states with the largest Hispanic populations to determine whether their health websites included

## Shaping a stateside culture of professional language services

Spanish versions, and then rated them for accessibility, clarity and mistakes. Her PowerPoint presentation, highlighting in phosphorescent yellow all the grammar, spelling, usage and other errors, elicited knowing groans and eye rolls. New Jersey, it turns out, can thumb its nose at New York and the three Western states with the largest Hispanic populations: its state website had almost no errors and in Cornelio's opinion, reflected the work of a professional translator. Unfortunately, she noted, "bilingual experts" — often people inside organizations who grew up speaking some Spanish but never worked as translators — still exert undue influence and can often take a "check n' wreck" approach to the completed work of professionals. Which brings us to the next step in her strategy of helping shape the field: client outreach. An effective approach to companies that put out subpar translations, she suggested, would be to "call them and play the injured party, rather than the indignant translator professional who may be looking to establish a client relationship." This is a good example of how we can assume a leadership role, applied to the growing field of web content translation in the U.S.

The most stimulating presentation came from María Godfrey of the General Services Administration, who works as bilingual web content manager for FirstGov en Español (www.firstgov.gov/Espanol/) the federal government's official information and services website. She described herself and a colleague as the

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translator education and translator terminology, respectively. An article by Debbie Hummel of the Associated Press quoted several of the participants, at some length. The article was picked up by the *Daily Herald* as well. (A link has been posted on the NAJIT home page.)

The Summit emphasized how essential language training is for our security and welfare, and the importance of translation and interpretation in particular. Wearing my NAJIT hat, I underscored NAJIT's current and past contributions to the fields of legal translation and interpretation. The vast combined knowledge of our membership is an invaluable resource and is bound, if tapped, to play an important role in years to come. Our position papers, stacked on a table in the large room where the Summit was held, were a great success and were picked up within half an hour, with requests for more.

The American Translation and Interpretation Studies Association (ATISA) conference was held in San Diego three days after the Salt Lake City Summit. Here again, our position papers were so popular that they disappeared in no time. Professor Claudia Angelelli, organizer of the conference and a Board member of ATA, was elected Vice President of ATISA. Professor Peter Lindquist, NAJIT member and President of SSTI, was elected to the ATISA Board. At the conference, NAJIT was well represented, with Peter Lindquist and myself reading papers. In many ways a more academic and theoretical event than the Summit, the ATISA conference covered topics ranging from "the erotics of translation" and "liturgical language" to children's literature, paremiology, Borges, Cervantes, and translation problems raised by French passages in novels by Tolstoy and Nabokov. Assessment studies were well represented, covering a large spectrum from the Yousry case to computerized models. Translation topics dominated this otherwise excellent conference, which might be accounted for by the fact that the "I" in ATISA is a very recent addition.

NAJIT's Advocacy Committee has been very busy, following important bills in California and Florida and disturbing trends such as one that surfaced recently in New Hampshire. Advocacy Committee member and New Hampshire interpreter Rosemary Dann alerted us that the New Hampshire AOC had entered into a contract with Language Bank to provide all interpreters for incourt proceedings. Language Bank does not screen, test, or train the interpreters it sends out but relies on a list provided by the Southern New Hampshire Area Health Education Center. The New Hampshire freelance interpreters who had been providing service and had met regularly with the AOC Director for the past six years were never consulted; the contract was presented as a fait accompli. Following NAJIT's letter to the AOC Director and the Chief Justice of the New Hampshire Supreme Court, we were contacted by the Director of Language Bank, which subsequently joined NAJIT as an organizational member. We are hopeful that Language Bank's willingness to join NAJIT and attend the Houston Conference is an indication of its recognition that ongoing professional training of interpreters is necessary to attain the high standards and proficiency required in judicial settings. However, the AOC also has an obligation to set standards and monitor the quality of services provided. We thank Rosemary and Susan Bilodeau, Co-Presidents of the New Hampshire Interpreters and Translators Organization,

for tracking this situation; we will keep the membership informed of new developments.

What is particularly troubling about New Hampshire's modus operandi is that it might be indicative of a dangerous national trend. As we know after the 2000 Census, limited-English-proficient populations in general and the LEP Spanish-speaking populations are growing. This translates into many more interpreted cases in the courts, not only in large urban centers but throughout the nation. At the same time, courts face budgets that remain stagnant or have been cut. Court administrators, either misguided or following the path of least resistance, tend to look for low-cost interpretation services. There is no such thing. As Marian Greenfield pointed out at the Translation Summit, it takes twenty-five years to train a translator. A cheapening of the market may cause qualified interpreters to seek other employment. It's a dangerous path, one that goes counter to national trends, the nation's needs as outlined at the Summit in Salt Lake City, and the studies presented at the San Diego conference. It flies in the teeth of due process, the Civil Rights Act of 1964, Title VI, our Constitution, and EO 13166. In New Hampshire, as in Salt Lake City and San Diego, NAJIT members are on the cutting edge, contributing to a full airing of the issues and working to promote a national dialog.

> Alexander Raïnof, Chair NAJIT Board of Directors

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### THE VOICE OF JUSTICE continued from page 1

These barriers have profound impacts. A recent study on femicide in New York City found that immigrant women are at a higher risk of being murdered at the hands of their intimate partners: 51% of intimate partner homicide victims were foreign-born, while 45% were born in the United States. Thus, it is critical to address the barriers that prevent immigrant survivors of violence from accessing services and safety.

Language access is one key element of this response. The array of non-native English speakers in the United States is not to be taken lightly. New York City alone possesses 2.9 million foreignborn residents as of the 2000 census. According to census data analysis presented in the Department of City Planning's Newest New Yorkers 2000: Immigrant New York in the New Millennium report, the city's foreign-born population rose from 28% percent in 1990 to 38% in 2000. In addition, the report indicates that more than half the city's residents speak a language other than English at home and that approximately one in four city residents has difficulty with English. Not only is the immigrant population rising, but language access can so often become a central issue in the everyday lives of immigrants.

Language access is critical for any limited-English-proficient immigrant who may need health, housing, legal, or other services. Navigating these systems can be difficult enough for native-born residents: for those who face language barriers, the process can be even more daunting. In our work with immigrant survivors of abuse, we have seen that language access plays a central role in the ability of survivors to progress in their journeys to safety.

### Court interpreters: a vital service

For immigrant women caught in abusive relationships, reaching out for help and services is a tremendous act of courage. Many survivors of violence are threatened by their abusers if they speak out – threatened with further violence, deportation, or retaliation. Attempts at control or intimidation can extend to the courtroom. We have routinely seen abusers manipulate the legal system by filing false orders of protection or complaints with various agencies in order to trap women and/or discredit them. Through more than 20 years of work with immigrant survivors of domestic violence, we have seen firsthand that immigrant women often have little access to information about their legal rights and options or the court process. Unfortunately, abusers tend to have much more information and familiarity with U.S. laws and agencies and often use this knowledge – as well as their language abilities – to further jeopardize an already vulnerable population.

Immigrant women who do take the brave step to address the abuse in their lives are faced with a number of significant challenges. *Justice Speaks*, the Domestic Violence Advocates' Task Force for Court Interpretation, was originally formed as a working group of the Coalition of Battered Women's Advocates, in response to an outcry of coalition members whose clients were being denied justice due to a lack of effective and appropriate interpretation in court. A survey of domestic violence service providers was conducted in 2001 to assess the needs of survivors with limited English proficiency. Survey data clearly showed that while access to services overall was

often a concern for this vulnerable population, problems associated with court interpretation were the most severe – an area in which advocates felt they had little or no ability to effect change.

Concerns identified included the limited availability of interpreters; lack of proficiency in certain languages (especially given the expanding array of language groups in New York City); inadequate or incorrect interpretation; interpretation marred by cultural or gender bias; insufficient training, lack of support and supervision of interpreters; and a disturbing number of stories of intimidation, threats, and sexual harassment of clients by interpreters.

One survivor indicated that she believed the interpreter would translate in favor of whichever party paid him the most money: "He didn't translate in an accurate manner. He'd tell me the wrong thing. But I understood a little bit – that's how I knew. I think he was in conspiracy with my husband. It seemed like they were involved in a scam – it seemed like a money thing. He'd translate in favor of whoever gave him money."

Another survivor described an interpreter who spoke to the opposing party for a long time, where it was unclear what the content of the discussion was or why it took place. She summarized her experience by saying, "Of the five interpreters that I used, one was good, another okay and three were bad. One of the three kept speaking in English. He wouldn't translate in Bengali."

Finally, another survivor attested to her mixed experiences by saying, "The first two translators were not professional. One of them spoke Punjabi and that is not my language. So I couldn't understand the translator. The third translator was professional and translated everything."

In a sample study which Sakhi conducted of 7 women with 12 different court cases, 3 out of the 7 indicated their cases had been delayed due to interpretation. The delays were up to 9 months. None of the 7 women knew how to file a complaint against a court interpreter. We believe that if more extensive research were conducted, additional disheartening findings would be discovered.

## Recommendations

The National Center for State Courts, in its publication *Court Interpretation: Model Guides for Policy and Practice in the State Courts*, sets forth extensive training guidelines and a comprehensive canon of ethics to enhance the professionalism and quality of court interpretation. These best practice guidelines are a wonderful basis for ensuring professionalism but are not sufficient to addressing the unique needs of survivors of violence. In particular, any model guidelines should also highlight issues of maintaining safety, confidentiality and neutrality in cases of domestic violence.

As many of us speak the languages in question, in addition to English, we have heard testimony by domestic violence survivors in court when their stories have not been fully and accurately interpreted – whether due to the abhorrent nature of the experiences recounted or for reasons of bias or limited interpreting skills, it is hard to tell. What is painfully clear is that if a court interpreter does not accurately reproduce a survivor's testimony, her whole life – and that of her children – can be adversely affected.

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#### THE VOICE OF JUSTICE continued

We offer the following recommendations to ensure more accurate and adequate interpretation for survivors of violence:

- It is essential that the courts implement clear testing, training and monitoring for all court interpreters, as well as grievance procedures for users of the service. With adequate testing and training, court interpreters would be assessed for proficiency and understand the full impact of their legal and ethical obligations.
- It is imperative that court interpreters be provided with specialized training in issues of domestic violence, sexual assault, and child abuse. Such training should underscore the need for confidentiality of survivors' stories and the importance of not divulging information about any ongoing case to other community members, since the safety of the survivor and children may be at risk. Training should also put into context the ways that batterers can use the court process to continue to abuse partners, even after they have left the relationship. This will help to prevent interpreters from being used as one of the abuser's tools for manipulation and control.
- It is not only survivors who are traumatized by their experiences. Court interpreters who hear and relay the horrific experiences of survivors of domestic violence, sexual assault or child abuse may experience vicarious or secondary trauma. Without adequate training and supervisory support, this work can take too heavy a toll, to the point of impeding an interpreter's ability to keep performing such an essential job. Therefore, court interpreters need comprehensive training in sensitivity to these difficult issues as well as a clear supervisory channel for professional development and support.
- Judges and attorneys should be given specialized training in how to utilize and monitor interpreters effectively. In addition, such training should include tips for preventing interpreter bias in cases involving domestic violence, sexual assault, or child abuse. Such training would assist judges in fulfilling their duties in the courtroom and attorneys in ably representing their clients. While enhancing the interpretation process overall will take time, this kind of training can help individual judges and attorneys ensure language barriers do not prevent access to legal remedies for survivors of violence.
- · All court interpreters should undergo background checks to identify any history of domestic violence, sexual assault, or child abuse, or any possible conflict of interest.

We are glad to report that as a result of many years of advocacy and the partnership of the Task Force on Women and the Courts with the New York City Bar Association, the New York State Office of Court Administration (OCA) released an action plan in April 2006 to enhance their court interpretation services. Key elements of the plan include a much-needed pay increase for interpreters, a mandated test in English for all interpreters, and required training for per diem interpreters. We will continue to support OCA as it implements the work plan and also continue to advocate special recommendations for cases of domestic violence, sexual assault and child abuse.

Court interpreters need a tremendous amount of skill to do their work well. When interpreting for a survivor of violence,

honed skills need to be combined with specialized knowledge and information. Otherwise, survivors of violence may unwittingly face additional trauma from a system being utilized to protect them and help them obtain justice.

Through implementing consistent strategies such as those recommended above, we can work to limit cultural or gender bias, mitigate the cruel nature of experiences which are difficult to translate and recount, and avoid the conflicts of interest that arise when a court interpreter knows the survivor or her batterer.

By proactively seeking training and workable strategies to address the complex needs of survivors of violence, we can ensure that those who have not yet mastered English are able to access their legal rights. We know that we all have the right to live free of domestic violence. What remains is for us to see this right become a reality for all who yearn to live in safety.

[Vivian Huelgo is Senior Director of Legal Services at SafeHorizon, www.safehorizon.org; Purvi Shah is Executive Director and Saveen Kaushal is Legal Advocate at Sakhi for South Asian Women, www.sakhi.org; Catherine Shugrue dos Santos is Assistant Clinical Director at Sanctuary for Families, www.sanctuaryforfamilies.org.]

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## **Do You Translate Spanish or Portuguese Literature?**

The Guadalajara International Book Fair will support the attendance of translators by offering them three nights' hotel and free registration. This is a great opportunity to meet Latin American writers as well as agents and publishers interested in publishing translations into English and other languages. The dates of the fair are Nov. 25-Dec. 3, with the first five days being the "professional days."

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## **Amy Griffin-Otterberg**

American Sign Language La Guardia Community College, New York

**Ting Guo** 

Chinese

University of Massachusetts

**Nancy Leveson** 

Spanish Bellevue Community College, Washington

**Darlenne Phillips** 

Spanish

Miami Dade College, Florida

### Kristina Zakaryan

Russian

University of Wisconsin Milwaukee

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  - 5. Get someone to take a picture of you in the classroom.
  - 6. Send it to the ATA Public Relations Committee with your name, whether you are a NAJIT or ATA member, the date, the school's name and location, a brief description of the class, and a "memorable moment" as a caption for the photo.
- The deadline for submissions is July 17, 2006. The best photograph from an ATA member wins free registration to the ATA conference in New Orleans, and the best photograph from a NAJIT member wins free registration to the NAJIT conference in Portland. The winner will be contacted by August 17, 2006.
- Any questions? Contact:

Amanda Ennis

germantoenglish@earthlink.net Lillian Clementi

lillian@lingualegal.com

## International Translation Day 2006

## Many Languages - One Profession

rom Abenaki to Zulu...there are some 6,800 languages in the world and roughly a third of them have writing systems. The translation profession—in both its oral and written form—is almost as old as the most ancient of languages: As soon as there was interaction beyond one's immediate community, there was a need for an interpreter and later, in many cases, a translator, too. In today's global village, how would the world manage without the services of these language professionals?

Language professionals play an essential role in all aspects of life. Everything from commerce, trade, diplomacy and international cooperation to science, education and all aspects of written or spoken culture—even globalization; all these human activities require the sure touch of the expert. What would the fate of these activities be without language professionals?

Yet how often are people working in the language field regarded as professionals? All too often it is assumed that anyone with a knowledge of two languages is able to interpret or translate successfully. This is a long way from the truth. While bilingual people may be able to translate the words, they are often unable to convey the whole message successfully and without it smacking of translation.

Translators and interpreters are facilitators of communication. Their job is to enable people speaking the many different languages around the world to interact with one another on an equal basis. They level the playing field by making it possible for both parties to communicate effectively without struggling in a language within which they perhaps are not completely comfortable.

The requirements that language professionals need to meet are the same, no matter what languages are involved. What can clients expect from professional translators and interpreters?

- An in-depth knowledge of both languages, which means that they are able to put across the full message, with all its nuances.
- The ability to craft their text, which means that the translation sounds like an original and can be readily understood.
- A pride in their work, which means that they will do the best possible job, on time and at an equitable rate.
- A strong sense of ethics, which means that they will not knowingly accept work that is beyond their abilities and will keep the content of their work confidential where appropriate.
- High standards, which means that they will keep abreast of developments in their languages and the fields in which they work, continually striving to better themselves and their work.
- An awareness of the importance of accuracy and correctness, which means that they will do the necessary research in fields in which they do not specialize.
- An acceptance that they do not know everything, which means that they will put effort into continuing to learn and develop themselves.

The International Federation of Translators' choice of *Many Languages—One Profession* as the theme for International Translation Day 2006 is intended to draw attention to the professional nature of this occupation. Translation and interpreting are important activities, and if they are worth doing they are worth doing well. By using a professional, one can be assured of putting across one's message in full, no matter what language one uses.

The International Federation of Translators is a world federation of professional associations bringing together translators, interpreters and terminologists. It has 115 members in over 50 countries and thus represents over 60,000 professionals.

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### TRANSLATORS IN THE U.S. MARKET continued from page 3

"Girl Fridays for a staff of 1,900 people," praised her agency for its "sensitivity to language issues," and mentioned recent events that have helped radically transform the federal government's approach to translation. These include LEP Executive Order Number 13166, Improving Access to Services for Persons With Limited English Proficiency, signed by President Clinton and reaffirmed by President Bush; and a government-wide initiative to help thousands of Spanish-speaking communities who lost vital documents during Hurricane Katrina. Godfrey announced exciting future developments, including a Federal Multilingual Website Committee, which will evaluate and rate translators so that government agencies can find experts when they need them. The boldest initiative includes a program to centralize and standardize the government's Spanish language usage through the creation of a Spanish Language Style Guideline, a living document derived from a variety of sources. (The standardization effort has worked well in Europe and Canada, but to succeed here, it will need to navigate the shoals of regionalism, chauvinism and jingoism that lurk in the many varieties of Spanish spoken on the American continent.)

Godfrey briefly touched on machine translation ("good for extremely restricted domains of technical language") and warned about the current corporate use of "back translation" as a quality check—which, ironically, tempts novice translators to do word-forword renderings because they back-translate perfectly. She reiterated the important points that ran through all presentations: that translators need to know their audience, translate in a culturally appropriate manner, and when possible, use plain language.

In the end, consumers can shape the marketplace by demanding quality product—and language specialists should remember that, for we are also consumers. We have the power in our hands and the obligation to set standards. If translators don't insist on standards and hold the U.S. market, both private and public sectors, accountable, the value of all language professionals will be degraded and the "bilingual experts" will indeed end up running the show. Federally sponsored initiatives such as the Style Guideline and FirstGov en Español may be powerful allies to counteract misguided trends and help language professionals here make their points effectively.

María Cornelio talked about "giving people the ammunition to change the culture in their workplace." She offered a snappy comeback to client complaints about rates. If a client suggests that Spanish translation should be cheap because Spanish is so widespread, the translator can answer: "Then why pay so much for advertising copy? Lots of people speak English."

Despite the many misconceptions surrounding the cost and importance of translation for Hispanic consumers, translators need to stop following and start taking the lead in promoting professional services for professional prices. Then we will be spearheads in the niche market that we know belongs to us. *Adiós* to being paid as spearchuckers, the walk-ons who say two words and exit.

[The author is a federally certified court interpreter, translator, and actor of stage and screen.]

## Visiting Delegation from China Way Moy

n March 15, 2006, on behalf of NAJIT, *Proteus* editor Nancy Festinger welcomed a delegation of interpreters and translators from China at the federal courthouse in the Southern District of New York.

The group of sixteen, led by Mr. Yuen Shun Liu on behalf of the Translators Association of China (TAC, www.tac-online.org.cn), had just completed an intensive three-week interpretation/translation course at the Monterey Institute of International studies in California. All were from Shantung, a coastal province in central China, right across from the Korean Peninsula. They worked in various provincial or municipal agencies and business entities, and their responsibilities required them to have the ability to interpret or translate from and into English. There were representatives from university departments, trade development, banking, environmental protection, and tourist offices. The course and the visit to the U.S. was meant to offer them further training, insights and practice in American English. Some were sponsored by their place of business; others were semi-sponsored and contributed to the cost of the trip, a unique travel experience. Of the sixteen, many had just graduated from university programs.

Their visit to downtown Manhattan began with a tour of the area surrounding Centre Street, where the state and federal court buildings stand. On the way to the nearby African burial ground on Duane Street, a recently discovered archeological site that has provided information about the slave population in New York in the 1700's, they learned that the area used to be called Five Points and was a hotbed of criminal activity. Upon return to the courthouse, they visited Judge Kimba M. Wood's courtroom, where they sat in the jury box as they heard the judge give an overview of her judiciary functions vis-à-vis interpreters. A lively question and answer period followed. Many questions concerned interpreter qualification and administration, or problems that may occur with interpretation during trial. Afterwards, there was a walk-through of the many support areas within the court building, including a panoramic view of the city from the 26th floor. Of interest was the fact that none of the visitors had ever been in a courthouse before, either in China or the United States.

At the end of the visit, there was a NAJIT-sponsored reception which other interpreters from the local area also attended. The *Proteus* editor welcomed the group on behalf of NAJIT's Chair Dr. Alexander Raïnof and briefed them on NAJIT and its activities. Mr. Yuen Shun Liu responded with the visitors' appreciation for NAJIT's hospitality, and provided information on TAC. Of particular interest to all was the fact that TAC will be hosting the Federation of Translators (FIT-IFT, www.fit-ift.org) XVIII World Congress in Shanghai, China in 2008.

The evening ended with a dinner in nearby Chinatown, and a farewell to our visitors who were on their way to Washington D.C. the following day.

[The author is a Chinese interpreter on staff with the New York State Supreme Court, Criminal Term.]

## **NAJIT NEWS**

March 14, 2006

Mr. Liu Yuanshun

Chair, Delegation from Translators Association of China

Dear Mr. Liu:

It gives me great pleasure to welcome you and your colleagues to New York City on behalf of the National Association of Judiciary Interpreters and Translators. We are very pleased that the Translators Association of China is engaging in outreach to colleagues in the United States. We value our association with your organization, and look forward to reaping many benefits from our mutual collaboration.

I know that Nancy Festinger, who is the editor of our newsletter *Proteus*, will give you a fine introduction to the U.S. Courts of the Southern District of New York. We hope that you enjoy learning about interpreting services in New York. We also hope that you will enjoy the reception with your colleagues. As the world grows more interconnected, it is even more important that we learn from each other in order to uphold the highest standards of practice in our profession.

We hope that some members of your association will join us in Portland, Oregon, for our 28th Annual Conference, to be held from May 18-20, 2007. In the meantime, please accept my very best wishes for a successful visit to New York and a very rewarding tour of the United States.

Sincerely yours, Alexander Raïnof, Ph.D. Chair, Board of Directors ■ NAJIT has received the following letter in response to our support for the Deaf and Hearing Relay Interpreting Workshop organized by San Diego Chapter Registry of Interpreters for the Deaf on March 24-26, 2006.

#### Dear NAJIT:

Thank you for your generous support of the SDCRID Deaf and Hearing Relay Interpreting workshop recently held in San Diego. The 20 hours provided stimulating dialogue on how a deaf and hearing interpreting team works, the philosophy behind why, and presented arguments for and barriers against the success of such a team.

Of special note, you provided the opportunity to learn from the leaders and icons, indeed, the paragons in this area. Carolyn Ressler, Steve Walker, Priscilla Moyers and Sharon Neumann Solw presented with intelligence, humor, and a depth of understanding which made the two-and-a-half days fascinating, inspiring and pleasantly exhausting.

Special thanks for the diligence and attention of host RID chapter San Diego SDCRID. Liz Mendoza and Rick La Bar were tireless in their support. Their help behind the scenes gave the workshop a fluid and dynamic hue.

"We are on a cusp with deaf and hearing interpreters working together... you all being here is important and telling; this is a royal beginning; it's not an easy journey but we are on the verge of something big..."

Sincerely, Patrick Galasso CI/CT

■ NAJIT Executive Director Ann G. Macfarlane has been appointed as a public member of the Washington State Court Interpreter Commission, serving until September 30, 2008.

## **Legislative Updates**

NAJIT is monitoring and supporting the following bills:

### **■** California

New regulations established by the Department of Managed Health Care that fully implement **Assembly Bill 853** (Escutia) which proposed providing multilingual services, materials, and information at all HMOs.

Contact: Assembly Member Dave Jones, Sacramento, CA 95814, (916) 319-2009, Fax (916) 319-2109

Note: NAJIT member Nancy Zerenda nzarenda@cde.ca.gov is actively working on this bill.

Assembly member Leland Yee's legislation, Assembly Bill 775, regarding the prohibition of using children as interpreters in medical situations, passed the Assembly, but did not pass the Senate. The Department of Managed Health Care is considering making this bill regulatory procedure. If this does not occur, AB775 will be reconsidered and will need other support.

Assembly Bill 2302 (Judiciary) would expand interpreting services to civil matters for parties as well as witnesses. http://www.aacre.org/aa•ab2302ac/

Proposal: Court interpreters should be available to all

> continued on page 12

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#### NAJIT NEWS/LEGISLATIVE UPDATES continued

Californians who need them, just as they are for persons who are deaf or hard of hearing, in order to protect the fair and efficient administration of justice, allow parties to be understood by the court when they are not represented by lawyers, encourage trust and confidence in the judicial system and promote respect for the rule of law and compliance with court orders.

#### ■ Florida

Proposals (HB 849, SB 1128) to set statewide standards for court interpreters are pending in the state Legislature. flsenate.gov HB 849 CS – Regulation of Foreign Language Court Interpreters

**General Bill** by Flores (CO-SPONSORS) Arza; Quinones; Roberson; Zapata

Regulation of Foreign Language Court Interpreters: Requires the Supreme Court to establish standards and procedures for qualifications, certification, conduct, discipline, and training of appointed foreign language court interpreters; requires the Supreme Court to set fees for certification applications; specifies the use and deposit of such fees; authorizes the Supreme Court to appoint or employ personnel for administration assistance purposes.

#### **Senate 1128: Relating to Court Interpreters Certification**

S1128 General Bill By Villalobos (Similar 1st Eng/h 0849)

<u>Court Interpreters Certification</u>: Requires Supreme Court to establish standards & procedures for training & certifying court interpreters; requires that Supreme Court set fees for certification; specifies that fees from applicants for certification as court interpreters be deposited into Grants & Donations Trust Fund within state courts system.

EFFECTIVE DATE: 07/01/2006.

12/08/05 SENATE Filed

01/11/06 SENATE Referred to Judiciary; Justice Appropriations 02/07/06 SENATE On Committee agenda-- Judiciary, 02/15/06, 2:00 pm, 401-S

02/15/06 SENATE Favorable by Judiciary; YEAS 7 NAYS 0 02/16/06 SENATE Now in Justice Appropriations 03/07/06 SENATE Introduced, referred to Judiciary; Justice Appropriations

- SJ 00108; On Committee agenda-- Judiciary, 02/15/06, 2:00 pm, 401-S; Favorable by Judiciary; YEAS 7 NAYS 0
- SJ 00193; Now in Justice Appropriations -SJ 00193 ▲

## **CALENDAR**

August 10-12, 2006. Lincoln, NE. "Accessing the Future. Education & Technology in Language Access." Nebraska Association of Translators and Interpreters Annual Conference, cosponsored by NAJIT.

**September 8-10, 2006. Nashville, TN**. Fourth Annual Conference of the Tennessee Association of Professional Interpreters & Translators, cosponsored by NAJIT.

**October 17-20, 2006. Seattle, WA.** 5th Biennial Conference on Quality Health Care for Culturally Diverse Populations.

October 18-21, 2006. San Diego, CA. Conference of Interpreter Trainers 26th Biennial Conference.

**October 18-21, 2006. Bellevue, WA.** American Literary Translators Association 29th Annual Conference.

**November 1-4, 2006. New Orleans, LA.** American Translators Association 47th Annual Conference.

**November 3-5, 2006. Zurich, Switzerland.** International Federation of Translators 8th International Forum on Interpreting and Translating at Court and for Public Authorities.

**November 17-29, 2006. Nashville, TN.** American Council of Teachers of Foreign Languages Annual Conference.

**December 5-6, 2006. Havana, Cuba.** 6th Symposium on Translation, Terminology and Interpretation in Cuba and Canada.

**April 11-15, 2007. Sydney, Australia.** Critical Link V: Community Interpreting.

May 18-20, 2007. Portland, OR. NAJIT 28th Annual Conference.

May 31-June 3, 2007. Cleveland, Ohio. ATA Medical Division Mid-Year Conference.

August 3-8, 2007. San Francisco, CA. Registry of Interpreters for the Deaf Biennial Conference.

October 31-November 3, 2007. San Francisco, CA. ATA 48th Annual Conference.

May 14-16, 2008. Pittsburgh, PA. NAJIT 29th Annual Conference.

**August 1-7, 2008. Shanghai, China.** International Federation of Translators XVIIIth World Congress.

NAJIT offers this calendar as a service to its members. No endorsement of courses or events offered by other organizations is implied.

#### **NEW POSITION PAPERS AVAILABLE!**

Visit the NAJIT website to download any of the eight position papers now available:

- . Direct Speech in Legal Settings
- Equal Access as it Relates to Translation and Interpretation
- Information for Court Administrators
- Language Assistance for Law Enforcement
- . Modes of Interpreting
- Onsite Simultaneous Interpretation of a Sound File is Not Recommended
- Preparing Interpreters in Rare Languages
- Summary Interpreting in Legal Settings

## THE ASSOCIATION COMMUNITY AND THE MENTOR

## Lynn Melby

[Reprinted with permission from *Connections*, the newsletter of Melby, Cameron & Hull, an association management and consulting firm.]

uring the past few years, as professional societies and trade associations attempt to create true "communities of practice," they have focused much of their attention on "community building." All communities have things in common (that's why they call them communities)—things that bind them together—like purpose, values, relationships, economics, history, and common experience.

One of the aspects of any strong community is diversity of experience and age levels. Nearly every association has this kind of diversity, which provides a certain richness to the association experience. While age does not always bring wisdom, or long experience assure competence, we can all think of senior persons who have provided us with guidance and modeling during our careers. Chances are that many of these are people we encountered through our association involvement.

They are our mentors.

Mentors have been around for thousands of years. They are part of the cultural transfusive process of communities, as one generation passes on its wisdom and experience to allow the next generation to build upon it. It's a symbiotic relationship for both the mentor, who has an opportunity to be a teacher, and for the protégé/mentee (what should we call them?), who has an opportunity to learn from another's experience and to be guided by solid role-modeling. It's a great dynamic within the association community of practice.

Mentoring has a mythological quality about it. We see the mentor/protégé relationship between Socrates and Plato in ancient Greece, Luke Skywalker and Obi Wan in Star Wars, Dante and Virgil in *The Divine Comedy*, Frodo and Gandalf in Tolkien's stories, and the list goes on.

In his book, *Mentor: Guiding the Journey of Adult Learning*, author Laurent Daloz notes that mentorship is particularly important to an adult learning during times of great challenge and social transition, and that the end result is a person who emerges transformed. Mentoring is a significant value that associations can provide during times of professional transition, such as we are experiencing now.

At a recent seminar I attended, Daloz and Sharon Parks identified seven functions of mentoring that bear listing here:

**1. The mentor recognizes you.** The mentor sees in the protégé a potential for excellence and the protégé recognizes not only that

he or she has been seen, but that there are possibilities and benefits in establishing a mentoring relationship.

- **2. The mentor challenges you.** This involves setting high expectations and holding the protégé accountable in some way.
- **3. The mentor supports you.** This is a way of building a "scaffold" to provide stability through affirmation, encouragement, listening, and assurance.
- **4. The mentor inspires you.** There is a spiritual and internal dimension to this part, where the protégé begins forming a sense of vocation and a picture of what he or she wants to be in the future. "How do I relate to the rest of the world?" We use a mentor as a role model.
- 5. The mentor is accountable. This is an important ethical aspect of mentoring. We are all aware of the vulnerability of the student/client/child/patient relationship and the need to be aware that relationships can get messy. The mentor has a special responsibility to protect the integrity of the relationship and not abuse the power that goes with it.
- **6.** The mentor sticks around. The mentor is there for the protégé when things get tough and the career path needs some guidance. Not in an intrusive way, but in a supportive way. Sometimes the mentor is "around" in a sense when we ask ourselves, "What would he or she do in this situation?"
- 7. The mentor lets go. At some point, the protégé needs the freedom to move ahead and move on. In *The Divine Comedy*, for example, Virgil leaves Dante to go through the ring of fire in the final stage of his journey. Luke Skywalker is cut loose to take charge of his greatest challenge. Sometimes moving on requires a motivational kick in the pants.

All of us, no matter what life or career stage we are in, have relied heavily on mentors in our professional and personal development. Sometimes it helps me to list these individuals so I can truly appreciate what they have meant to me. The list is not too long ... maybe six or seven people. About half of them have come through my professional affiliations, and I am reminded of how much my past involvement in associations and professional societies has connected me with those people. I am grateful for those communities of practice.

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## **ITEMS AND WEBSITES OF INTEREST**

he website of the Institute of Translation and Interpreting of the UK, won the FIT prize for best website of 2005. It has a bulletin, articles available online, and a good links section.

www.iti.org.uk

The American Cancer Society Web site hosts an online database at www.cancer.org/apicem for Asians and Pacific Islanders in their own languages. For more information, call toll-free 800-ACS-2345 or visit www.cancer.org.

Planning Tools for:

- Creating a Language Assistance Policy and Plan in a Department of Corrections
- Creating a Language Assistance Policy and Plan in a Law Enforcement Agency

The Coordination and Review Section of the US DOJ Civil Rights division has developed a language assistance policy planning tool for law enforcement and corrections. You can view the planning tool at www.lep.gov and click on "Federal Agencies"

## **Hmong Legal Glossary Available**

The Wisconsin courts, the Minnesota Translation Lab, the Marathon County Bar Association Southeast Asian Outreach Committee, and contributors throughout Minnesota and Wisconsin have joined forces to produce what is believed to be the first Hmong-English legal glossary in the U.S. More than 800 common court terms are defined and equivalent White Hmong phrases are provided for many of them. The glossary may be downloaded for interpreting, translating, research and testing purposes from

## **University of Arizona**

## **2006** Training of Trainers

## Training of Trainers

July 23 - 27 Tucson, AZ

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Training of Trainers is an opportunity for Spanish-speaking faculty to receive full curriculum and training in instructional methodologies for an Introduction to Translation & Interpretation course.

### **National Center for Interpretation**

Please call us at (520) 621-3615 Email us at: ncitrp@u.arizona.edu Visit us at: http://nci.arizona.edu the website: http://wicourts.gov/services/interpreter/hmong-glossary.htm.

### **State Round Up**

**Ohio:** A "Report on the Use of Interpreters in Ohio Courts" found that more than 18,465 interpretations involving 57 languages are done in Ohio courtrooms. The top five languages are Spanish (81% of the cases requiring interpreting), American Sign Language, Somali, Russian and Arabic.

**New York:** New York courts have announced an Action Plan on Court Interpreting Services, which can be obtained from the court system's website at www.nycourts.gov/whatsnew.

## Message to Interpreter & Translator Organizations

- Are you dreaming of a regional conference?
- Would you like to schedule a nationally-known speaker on court interpreting or legal translation issues to address your members?
- Are you concerned about how to meet the costs of a conference?

he National Association of Judiciary Interpreters and Translators offers sponsorship and financial support to local interpreter & translator organizations who are organizational members of NAJIT and who wish to organize a conference. NAJIT will cover travel costs and a modest honorarium to allow you to present a distinguished speaker at your event.

This year NAJIT is supporting the Iowa Interpreters & Translators Association, the Nebraska Association of Translators & Interpreters, and the Tennessee Association of Professional Interpreters & Translators.

Contact headquarters for more information about this exciting opportunity.

## Video Profiling Court Interpreter Available Now!

NAJIT members are invited to preview the short video profiling NAJIT member Claudia A'Zar at www.speakyourlanguages. com, the website for the innovative programs for high school students created by the Highline School District in Burien, Washington. NAJIT members may purchase the video or DVD at a substantial discount, in recognition of NAJIT's support and sponsorship for this video. Visit the website and enter Discount Code Y3X6YRG5 to obtain the video for \$20, nearly 60% off the regular price. The Fall 2005 *Proteus* gives more detail on this video and project.

## **CALL FOR PAPERS**



## **NAJIT 28th Annual Conference**

May 18 – 20, 2007

Embassy Suites Portland Downtown Portland, Oregon

◆ Deadline for submission of proposals: Friday, September 21, 2006 >

AJIT invites proposals for one-hour presentations and three-hour or six-hour interactive preconference workshops on any topic related to court interpretation and legal translation. The conference will have a special focus on legal sign and spoken language interpreting. Proposals on all the following topics are welcome:

- Interpreter training
- Specialized terminology
- Interpreting techniques all languages
- Specific language interpreting techniques
- Transcription and translation
- Translation of evidentiary materials
- The court interpreter as expert witness

- Court interpreting in specialized settings
- Interpretation and translation theory
- Cross-cultural issues
- Professional concerns (ethics, working conditions, financial planning)
- Other topics of interest

Please submit proposals using the form available on the website, www.najit.org, or contact headquarters to request a copy.

## **HOTEL INFORMATION**

Embassy Suites Portland Downtown 319 SW Pine Street Portland, OR 97204 Tel: 503-279-9000 The Embassy Suites Portland Downtown is located in the heart of downtown Portland. It is a magnificent historic hotel, fully renovated for beauty, charm and modern expectations. NAJIT's special rate of \$139.00 plus tax (currently 12.5%) is available until April 18, 2007. Each suite includes a private bedroom and spacious living room. All suites are fully equipped with two televisions, refrigerator, microwave oven, coffee maker, two telephones with data ports and well-lit dining/work table. Book early and luxuriate in comfort!



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Pager:		Cell: _				Suite 610
Email:		Website	e:			Seattle, WA 98101-1275
Languages (if passive, prefix with P-)	)					Tel:: 206-267-2300
Credentials: NJITCE: Spanish	Federal Court o	ertification	: Haitian Cr	eole 🗌 Navajo	Spanish	Fax: 206-626-0392
☐ State Court Certification: From wh	nich state(s)?					headquarters@najit.org
☐ ATA: What language combinations	s?					www.najit.org
U.S. Department of State:	Consecutive S	eminar	Conference			
Academic Credentials: Instructor at I am an interpreter I am applying for the following class of	translator  f membership: Acti Corporate Spons (Corporate sponson	ve or   rs receive a lo		Student (NAJIT) Organizational (	nonprofit) heir organization, or	ntions for student membership) ne free quarter-page print ad in ession.)
Check here if you have ever been a	a NAJIT member	☐ CI	heck here if you do	NOT wish to receive en	nails from NAJIT	
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I certify that the above information is cor	rect and accurate to the be	st of my kno	wledge and belief. I	agree to abide by the NAJ	IT Code of Ethics and	d Professional Responsibilities.
Applicant's signature					Date	
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Dues	\$105	\$85	\$40	\$300	\$160	\$115
Suggested voluntary contribution to SSTI	\$35	\$25	\$10	\$100	\$100	\$65
TOTAL	\$140	\$110	\$50	\$400	\$260	\$180

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