



## NAMASTE OR ASSALAAM-ALAIKUM? CULTURAL DIFFERENCE BEGINS WITH HELLO

Ratna Sarkar

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The challenges I have encountered in interpreting Bengali and Hindi stem from the religious and cultural differences of our people and languages. Hindi and Urdu are spoken in northern India, approximately the northern two-thirds of the country, as well as in Pakistan, our neighbor to the west. Pakistan is a predominantly Muslim country, as are pockets of areas in India (India being the second largest Islamic country in the world after Indonesia). Bengali is spoken in Bangladesh, a predominantly Muslim country, and in Bengal, also known as West Bengal, to the east of India, where the predominant religion is Hindu. Both languages, Bengali and Hindi, are influenced by the religion of the land and each language has its own nuances and customary usage. As reference works such as *The Languages of the World* will explain, "India has the unenviable distinction of being the most linguistically diverse country in the world. More than 150 languages are spoken, including twelve major ones, and none by more than 30 percent of the population."

As a Bengali and Hindi interpreter in the legal and medical fields, for police and other general services, I still sometimes find myself at a loss for the most appropriate words to communicate with. As we all know, good interpreting consists of two essentials, listening and speaking. What we say is up to us, but what we hear is not in our control. In order to aid our hearing and comprehension, however, we have to consider factors such as whatever information we can glean about origin, background, religious/cultural persuasion, level of literacy, and what disabilities, if any, the principal has. All of these become apparent with his use of language. Using the example of the Indian subcontinent (India, Pakistan and Bangladesh) I will explore the three W's: where to look, what to look for, and why.

My first dilemma is how to greet the person, whether I should say *Namaste* or *Assalaam-Alaikum*.

Speakers of both Bengali and Hindi come from the same part of the world, and not so long ago were all from the same country, India. Our ethnic origin is the same, our food habits are similar (all our foods are referred to as Indian food) and we have an implicit understanding of each other's ways. Bangladesh and Bengal are similar to George Bernard Shaw's remark about England and America: "Two countries divided by a common language." For example, even though there are no dietary restrictions for widows in Bangladesh as there are in India, people in both places refer to bland food as "widow's fare."

Given such shared understanding, I have been disconcerted when faced with glaring silence after greeting people with *namaste*, the equivalent of "greetings," or "hello, how are you?" Greetings are certainly not meant to displease, nor do they generally elicit negative responses. However, the reason for such silence later became clear when it came out that the principal was a Muslim. I had greeted him out of habit in a Hindu manner.

For interpreting in a courtroom or medical office, the interpreter prepares vocabulary and over time acquires an arsenal of words, correct manners and appropriate attire. I can speak with equal ease now about "stellar orbits" or "deportation without benefit," but that does not give me a clue as to what version of my language I am about to hear or whether I will understand it fully. India alone has 28 states, 7 union territories, 16 official languages and thousands of dialects.

I first look for cues and clues that will give insight into the person's place of origin. The interpreter is seldom privy to this information before beginning the interpretation, but a repertoire acquired over time gives one an intuitive edge that helps ease panic and makes the task easier. Dialect, accentuation, intonation and rhythm of speech vary within the smallest pockets of land area and are good indicators of origin.

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*Proteus*

*Proteus*, published quarterly, is the official newsletter of the National Association of Judiciary Interpreters and Translators, Inc., 603 Stewart Street, Suite 610 Seattle, Washington, 98101-1275

Editor: Nancy Festinger

Address submissions to [proteus@najit.org](mailto:proteus@najit.org) with attached file. Submissions preferred in Microsoft Word. All submissions subject to editorial review.

Deadlines for copy : spring issue Jan 1; summer issue April 1; fall issue July 1; winter issue Oct 1.

Annual subscription rate: \$16.00, included in membership dues. Online articles and archive available at: [www.najit.org/proteus](http://www.najit.org/proteus)

The opinions expressed in articles herein are those of the authors and not necessarily those of the association or the editor. Postmaster:

Send address changes to  
603 Stewart Street, Suite 610  
Seattle, Washington, 98101-1275

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Graphic design by Chuck Eng Design  
Printed by Consolidated Press

600 South Spokane Street  
Seattle, WA 98134  
Address requests for reprint permission to  
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## MESSAGE FROM THE CHAIR

NAJIT's 26th Annual Conference in Washington D.C. promises to be a great success. I appreciate all the hard work by the conference organizers, committee members, speakers and presenters. I look forward to meeting many of you in person.

A recent groundbreaking effort has resulted in the selection of twelve NAJIT Scholars from a national pool of applicants. These NAJIT scholarship recipients come from all over the United States: New Jersey to California, Missouri to Florida, Texas and South Carolina to Massachusetts. I look forward to welcoming these promising young students of translation and interpretation to our annual conference. Please see p. 10 for the report from the Student Outreach Program with the names of the selected scholars. Special thanks to Vanesa Ieraci who coordinated this first-ever outreach, and to Amy Free who handled all the applications and compiled the judges' responses. Thanks also to the judges for their hard work.

The Board of Directors and the Advocacy Committee worked with ATA in preparing the public statement on the Mohammed Yousry case (see p. 11). This is a new departure for us. We appreciated the commitment of the ATA Board and the interest it has shown in becoming more familiar with judiciary interpreting issues. I am particularly grateful for the exceptional contributions made in this regard by Directors Kenigson Kristy and Framer. They were both extensively quoted in an *ABA Journal* article by Molly McDonough of March 11, 2005 titled "Translators Worry: 'Am I Next?'" (see NAJIT web page for text). Thanks also go to our executive director Ann Macfarlane, a past president of ATA, for coordinating the efforts of both boards in drafting the public statement. The project involved a great many people and tight deadlines.

NAJIT's expertise and authority in the area of forensic translation and interpretation has been recognized at an international level. Professor Sandra Hale from Sidney, Australia and I were interviewed by the Canadian Broadcasting Corporation about the role of the Crown interpreter, Ms. Surjit Kalsey, in the case of two persons accused of the bombing of Air India Flight 182. Her interpretation of two videotapes in which Punjabi was spoken and chanted was challenged by the defense as too inflammatory. Ultimately both defendants were acquitted. The hour-long interview was aired in Canada on March 18, 2005.

The role of the NAJIT Advocacy Committee is becoming increasingly important as we pursue a mounting number of issues, due in part to an exponential increase of interpreted cases in the courts in the United States at a time when court administrators face dwindling budgets, a situation that unavoidably creates some stress and conflict. NAJIT has provided assistance to interpreters in Kentucky and has worked closely with Tyler West in this regard. We have also written to Representative Luke from Hawaii in support of SB 979/HB 1191 relating to court interpreters—see p. 8 for text. On other issues, NAJIT has written a new letter to the Honorable Gloria Negrete McLeod, the Chair of the California State Assembly Business and Professions Committee, in support of AB 775, Prohibiting the Use of Children as Interpreters in Medical Settings. NAJIT wrote in August to the Honorable Barry Ted Moskowitz of the U.S. District Court for the Southern District of California advocating against the Preliminary Injunction and Lawsuit Challenging the U.S. Department of Health and Human Services Mandatory Translation and Interpretation Rules. A lawsuit filed by a group of physicians and English Only was dismissed by Judge Moskowitz. Special thanks go to Nancy Zarenda from the Advocacy Committee for her diligent work. The letters referred to above can all be accessed on the NAJIT web site. In view of the expanding workload of the Advocacy Committee, we urgently need more NAJIT members willing to join the committee.

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NAJIT occasionally makes its member information available to organizations or persons offering information, products, or services of potential interest to members. Each decision is carefully reviewed and authorization is given with discretion. If you do not wish to have your contact information given out for this purpose, please let headquarters know and we will adjust our records accordingly.

# INTERPRETERS AS OFFICERS OF THE COURT: SCOPE AND LIMITATIONS OF PRACTICE

Isabel Frammer

The six branches of interpretation (conference, medical, judicial, business, escort, and seminar) share some similarities, but for this article my focus will be limited to the branch of judiciary interpretation and translation. Before discussing the judiciary interpreter's role and scope of practice, I will delineate the types of settings judiciary interpreters work in, the roles we play in those settings, and the reasons why the scope of practice is limited.

Dueñas González, Vásquez and Mikkelsen in *Fundamentals of Court Interpretation* subdivide legal interpretation into (1) quasi-judicial and (2) judicial interpreting, also referred to as court interpreting. A court interpreter or translator's work is not limited to in-court proceedings, since interpretation may also take place in proceedings that take place outside of the courtroom, e.g. quasi-judicial settings.

"Proceeding" is defined in *Black's Law Dictionary*: "In general sense, the form and manner of conducting juridical business before a court or judicial officer. Regular and orderly progress in form of law, including *all possible steps* in an action from its *commencement to the execution of judgment*." [emphasis added]

The steps from commencement to the execution of judgment can take place but are not limited to attorney-client interviews, prosecutor-witness or victim interviews, police interviews or interrogations, probation interviews, depositions, administrative hearings, juvenile hearings, social security administration hearings and more. These interviews may take place in the hallway of a courthouse, a holding area, a jail, a prison, a police station, a prosecutor's office, someone's home, or a defense attorney's office. Settings or any activity related to law, whether *criminal* or *civil*, that may have a bearing or impact on the administration of justice, equal protection under the law, and due process of law are considered *legal and/or quasi-legal settings*.

The Constitution is the supreme law of the land. In arguing issues of law, courts interpret constitutional issues in one form or another that may appear or actually be inconsistent with other decisions or opinions, but the general principles undergirding the Constitution remain the same. When disputes about constitutional safeguards occur, the ruling may be appealed to a higher court, and eventually to the court of last resort, the United States Supreme Court.

Neither the Constitution nor the twenty-seven amendments to the Constitution make any reference to the right to an interpreter. Yet if a person does not speak English and is faced with a criminal or civil action against him, the court, the judicial officials present-

ing the action and the non-English speaker all need to understand one another. Otherwise, the constitutional safeguards afforded to all persons and required by the supreme law of the land could not be carried out; judicial officials could not comply with their duties to ensure due process and equal protection under the law. Therefore, an interpreter must be summoned to assist all parties so that justice may be properly administered.

Legal interpretation and translation is an important and specialized field requiring training, education, experience and knowledge. Judiciary interpreters must have skills to interpret (in the three modes of interpretation required by federal and some state statutes) accurately, faithfully, exactly and impartially.

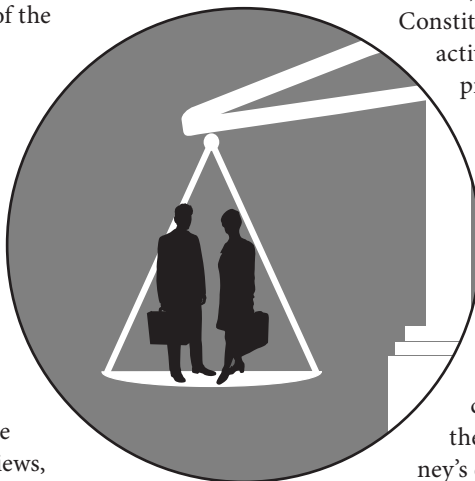
Constitutional issues may be at stake in proceedings or activities that have a bearing or impact on the legal process. The role of the judiciary interpreter is a demanding and stressful one. Our actions, our choice of words, lack of skill, lack of specialized terminology or unfamiliarity with our circumscribed role and professional responsibilities may adversely affect the outcome of court proceedings and the administration of justice.

An adverse impact can not only affect the non-English speaker's equal access, due process rights, life and liberty, but can also affect the court's ability to administer justice, the attorney's effectiveness, law enforcement's investigations, the prosecution, or even a victim's life.

In order for a court and other legal professionals to carry out the proper administration of justice, it is essential there be training and certification of interpreters through a valid and reliable testing instrument. Being bilingual, even a highly educated bilingual, does not necessarily make one a reliable judiciary interpreter and translator. Not everyone who speaks a second language possesses the cognitive and motor skills required for legal interpretation; not everyone is capable of withholding judgment or opinion in the legal arena.

A substantial amount of case law involving interpreter issues are cases on review for procedural and constitutional error. Over 25 courts have found it necessary to adopt a model code of interpreter conduct either through statute, court rules or by practice. Professional interpreter and translator associations have also adopted codes of conduct and professional responsibilities. Although association ethics may carry some weight with the judiciary, statutes, court rules, and court practice take precedence over association ethics.

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INTERPRETERS AS OFFICERS OF THE COURT *continued from page 3*

By virtue of the role we play in the administration of justice, many courts have stated outright that the interpreter is an officer of the court. A review of case law as well as interviews with judicial officials confirms that the role of an officer of the court is not strictly limited to in court proceedings but encompasses all proceedings, whether inside or outside of the courtroom.

What is an officer of the court and what does it mean to be an officer of the court? Prosecutors and defense attorneys as well as judges will tell you that an officer of the court is an individual working within the court system who is part of the judicial process, charged with specific duties, ethical guidelines and professional responsibilities in furtherance of that process. For example, attorneys, as officers of the court, have an obligation to the judicial process, to the court, and may even have a fiduciary responsibility. Although the attorney's loyalty is to his client, that loyalty ultimately must be practiced within the bounds of the law and within his role as an officer of the court.

An attorney is bound by the attorney/client privilege, and as we know, the privilege can only be waived by the client and not the attorney, *unless* a crime is in progress or going to be committed, or someone's life or safety is in jeopardy. At that point, as an officer of the court, the attorney must disclose such information. Other confidentiality rules by which officers of the court must abide pertain to specific legal settings: for instance, rules of court forbid defrauding the court, prosecutors have a duty to disclose any exculpatory evidence, and so on.

When an interpreter enters into the equation, the interpreter becomes part of the judicial process. An interpreter is necessary to enable all parties involved in the process to communicate effectively with one another and carry out their respective duties. Therefore, the interpreter's loyalty is by definition to the legal process per se. Interpreters, like other members of the justice system, must also adhere to court rules, protocol and procedures established by the court, and all rules governing court officials.

Interpretation in a legal setting requires the interpreter or translator to be accurate, faithful, and complete without summarizing, adding, embellishing, or omitting anything spoken or written. An interpreter must remain impartial and recuse him or herself if there is a perceived or real conflict of interest. The interpreter must interpret directly (not in indirect narrative style), using the same grammatical person as the speaker so that the indicated parties can speak to each other and to the court. The court record reflects the non-English speakers' words as rendered by the interpreter. [For further details, see NAJIT's position paper on *Direct Speech in Legal Settings*.]

The interpreter in a legal setting is viewed as a neutral party, regardless of who pays for the service, because the very reason we are summoned is to provide interpretation or translation to assist all parties in the administration of justice. The interpreter's role therefore is similar to a court reporter's. Courts have established ethical guidelines for the judiciary interpreter, including the prohibition against giving advice, legal or otherwise, and the inap-

propriateness of ever advocating for one side or the other. (It is of course illegal to practice law without a license.) Thus, by virtue of the role we play in the administration of justice, our duty and loyalty is to the integrity of the judicial process and not to any one individual.

It is essential that interpreters become familiar not only with the rules governing interpreters in the judiciary but also with local court rules and any other guidelines governing officers of the court and the judicial process. This concept is no different from an employee becoming familiar with the guidelines of the specific field the employee is involved in or the specific rules of the particular company at which they work.

Many things can happen when an interpreter steps out of the prescribed role and scope of practice. The following cases are mentioned for illustrative purposes only, without disclosure of the case name, number or city. These cases are unreported, but I have first hand knowledge from working as a consultant or testifying as an expert in the matter.

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*Many courts have stated outright  
that the interpreter is an officer  
of the court.*

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In an Idaho case, law enforcement while investigating a homicide conducted an interview of a non-English-speaking suspect. During the interrogation, which was videotaped, the interpreter speaks on her own, appears to

engage in personal conversations, makes her own comments, initiates questions, explains concepts and provides advice, in addition to adding, omitting and summarizing information. Where the interpreter initiates questions or comments or provides advice, she does not interpret her ex parte communication back to the officers. The interpreter on her own asks the suspect three times to sign the Miranda waiver. During the interrogation she tells the suspect that this is his opportunity to tell the truth, that everything would be all right, not to worry and that it's best to tell the truth. She speaks to the suspect in the informal form of address and uses terms of endearment such as "honey" and "sweetie." A defense suppression motion was made, alleging Vienna treaty violations and claiming that the Miranda statement was coerced by the interpreter who stepped out of her role. In lieu of the suppression hearing, the prosecutor reduced the murder charge to voluntary manslaughter, to which the defendant ultimately pled guilty.

In an Illinois gang-related murder, a juvenile was charged with accessory to murder. Juvenile rights and parental rights were interpreted by the ten-year-old sister. During a videotaped interview with the prosecutor, the minor and the minor's parent, an officer was used to interpret for the parent. The officer interpreted in the third person and resorted to summaries of long questions and answers. The parent was unable to advise the juvenile at the appropriate times and could not follow what was taking place exactly, accurately and in real time in order to exercise the parental rights afforded her in this particular state. The judge dismissed the charges against the juvenile after testimony at the suppression hearing.

In an Ohio case, a sister of a suspect was used to interpret between law enforcement and the suspect. Other family members claimed that the sister did not interpret accurately. The sister/ad hoc interpreter was arrested and charged with obstruction

of police business. Although in this case the charges were later dropped, the fact remains that an interpreter can be charged with obstruction of justice should the interpreter lie or withhold important information in police work.

In another case, interpreters provided language assistance to non-English speakers seeking to obtain phony driver's licenses who were using false identification to obtain such licenses. The interpreters knew what was going on but assumed they were immune from criminal charges since they were merely providing interpretation. They were charged with conspiracy to commit fraud against a government entity. One interpreter was sentenced to two years and the other to five years of incarceration.

In these cases as with any other case dealing with the justice system, be it in a legal or quasi-legal setting, the interpreter's role is fairly simple in terms of protocol, procedures and ethics. The interpreter's task is to place a non-English speaker in the same position as an English speaker. It is not the interpreter's role to make sure that the non-English speaker understands the content but only to interpret what is being said. It is up to the judge or the attorney to explain and help the person understand. A legal interpreter should not on his own convey affectionate or intimate discourse to a non-English speaker or advocate for a defendant or victim, but should maintain the distance of an impartial and disinterested party. An interpreter cannot practice law without a license. The interpreter cannot permit himself to be used in the commission of fraud or any other crimes.

A non-English speaker and all parties involved in a judicial process are dependent upon the interpreter to provide a faithful and precise rendition of what is being stated. This puts an interpreter in a unique position of trust in the legal process. Thus, by virtue of the role the interpreter plays in the administration of justice, the constitutional implications of the profession, the fact that interpreters work to assist all other officers of the court, be it established by state statute, court rules, or by practice, the interpreter must necessarily be considered an officer of the court.

When interpreters step out of their appointed role, the integrity of the judicial system is put in jeopardy. Any departure from accepted practice leaves the interpreter open to challenges and may result in unfair convictions or dismissals, let alone diverted investigations. Judiciary interpreters, as well as any entity utilizing interpreter services or providing them, must understand the interpreter's role. Only then can each person and judicial official fulfill their role and perform the duties dictated by law, thereby safeguarding due process, equal access and equal protection under the law. ▲

*Disclaimer: The information in this article was obtained through research, discussion with attorneys and judges, and personal experience as a consultant. It is not the author's intent to interpret the law.*

*[The author is a member of the NAJIT Board of Directors and a member of the NAJIT Advocacy Committee and the ATA Public Relations Committee. This article was prepared in response to a recent debate on the NAJIT listserv about the meaning of the term "officer of the court" and its application to interpreters.]*

#### CULTURAL DIFFERENCE *continued from page 1*

Familiarity with all the geographic areas where a language is spoken makes one follow clues and mentally file them away for future use. I believe these minute variations hold true for almost every language; I have been told that no two Spanish-speaking countries have the same word for "green beans."

One helpful piece of information in determining which variety of Hindi or Bengali the speaker will use comes from the name itself. Even though most first names amongst Hindus are much the same, they are pronounced differently, depending on the state the person comes from. In Bengal a woman's name is *Bharoti* whereas a woman from the Northern Hindi-speaking states will be called *Bhar-ti*. In Punjab, however, male and female names are the same, except that among Sikhs, female names end in *Kaur* and male names end with *Singh*. Punjabi names bring to mind another anecdote. A Punjabi lady was once asked her mother's maiden name. She replied "*Kaur*." "What was *your* maiden name?" asked the interrogator. "*Kaur*," answered the lady. He then tried asking her name before she got married. The response again was "*Kaur*." "Very well," said the interrogator, "Do you know your maternal grandmother's name?"

"I do. It was such-and-such *Kaur*." And so it went.

Islamic names are difficult to render into English as well, in that they have only the one true name. How many of us know that "Osama" is really the son of "Laden"? Or for that matter, know whether "Laden" is the name of "Osama's" mother or father? And if we were to address him politely, for example in a court of law, would we be addressing him as Mr. Laden? That might come out sounding the same as if we addressed the author as Mrs. Ratna.

Another name-related confusion occurs with names like Mohammed or Ali. I have had five defendants in one hearing and all of their first names were Mohammed. As could be expected, general confusion prevailed until the last names were used. These people were named after someone, in this case, in honor of the prophet.

In my languages, recognizing names facilitates distinction between male and female, especially when doing telephone interpretation, when I am given names and expected to start the conversation with a greeting.

Knowledge of names of principals and the language variant also give insight into cultural norms and practices. For instance, it would be as offensive for a Hindu-named person to be offered beef as it would for a Muslim to be offered pork. Respondents in jail are usually never offered these choices, but one detainee asked the judge to please make sure he was not given ham or pork in jail. This incensed the judge, who retorted, "Next you will be telling me you only like the pillows at the Ritz Carlton." The detainee lost his head and replied in a very profane manner and even called the judge an infidel. I hear echoes of this even today if a Muslim woman is told to go to a male gynecologist, or a Muslim or Sikh person is asked if he drank any alcohol prior to the automobile accident. This information may not seem pertinent, but can help the interpreter to put out ensuing fires, for instance, when an insurance company adjuster asks, "Why was he so mad, and rambling on and on when I asked him if he had had a drink?"

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CULTURAL DIFFERENCE *continued from page 5*

Knowing a person's name and thereby his religion can also lead to better understanding the prescriptions and prohibitions of the person's culture, such as *Jumma*, Friday prayers, or *Ramadan*, the fasting period, when one is unable to perform certain kinds of work. These terms may come up in pre-trial sessions and sidebar conferences.

Proper manner of addressing people is another area for confusion. Both Bangladeshis and Bengalis of India address even strangers as "sister," "brother" or something familial in place of Mr., Ms., Sir or Ma'am of the West. However, the terms themselves are different and interestingly, this difference stems, once again, from the difference in the language of origin. With the partition of India at the end of the British Raj, what is now Bangladesh was then incorporated into Pakistan and was known as East Pakistan. The Bengali of Bangladesh have a large Urdu vocabulary, since Urdu was the language of Islamic Pakistan. Bangladeshis refer to elders as *amma* and *abba* (mother, father) *bhai* (brother), *appa* (sister). In contrast, the Bengalis of India say *ma*, *baba*, *dada/bhai*, *didi*. A respondent close to my age once addressed me as *appa*—a term I was not familiar with. I somewhat randomly assumed he meant "mother" given that it sounded close to *amma* and very much like the Indian *ma* or mother. The respondent, who was not so young himself, addressing me as mother? Luckily, good sense prevailed and I did not respond, "I am not old enough to be your mother." I was under the mistaken impression that all Bengalis spoke the same language and it is this kind of insular thinking that can get one into trouble.

Note to translators: the written Hindu name often starts with a *Shree/Kumar*, *Shreemati*, or *Kumari*. This is not an integral part of the name but represents the Mr., Mrs. and Miss in English. You will often hear a person's name followed by a *Jee*. This is an honorific address, especially of someone in a formal situation, and is not gender-specific. The same term *Jee* is also used for polite acknowledgement and affirmation (*yes*), as well as query (*what?*) by Urdu-based Bengali and Hindi/Urdu speakers.

To illustrate the hazards of dialect, once I interpreted for a man who was talking about his drunken father covering his head with a nap. I went around it several times but really had no idea what he was talking about, until I realized that the respondent was from the same district of Birbhum in Bengal India that I come from (which I left behind many years ago). I realized later that he meant the word *lape*, meaning quilt, but said "*nap*." People from Birbhum are notorious for their inversions of l's and n's.

Accent and intonation may vary considerably from one area to another. On that subject, let me tell you about an aunt who went on a pilgrimage from Bengal to Badrinath in the Himalayas. When the bus stopped at a roadside rest area, she heard other people asking for *samosas*, or stuffed pastry, a common Indian snack. But she asked for *shomosya*, a word that existed in her vocabulary and was a close approximation to what she had heard. However, this word means "problem" in both Bengali and Hindi. I imagine the vendor got the gist of it and gave her the problem of her choice.

Rhythm of speech can also help identify a person's home territory. A Santhal, that is, a tribal person speaking Bengali, will always have a certain rhythm and cadence impossible for a non-Santhal to reproduce. A person from Silhet in Bangladesh will not be easily deciphered by a person coming from as close as Dhaka—that's because Silhetis, by and large, have no faith in the "ch" or the aspirate "chh" sounds and prefer to replace them with the simple "s". In standard Bengali one would say *chole-chhey*, whereas a Silheti would say *sole-say* to mean "I'm fine." Similarly, the Hindi of Bihar has no similarity to the Hindi spoken in Punjab or Bengal, even though these states share the same prime minister, currency, and national pastime of cricket. For example: When asking, "Where have you been?" a person from Bihar will say, *kahan gaiil ba?* whereas a person from Punjab might say *kiththey gaya si?* and yet both will be speaking Hindi; one a Bhojpuri-Hindi and the other a Punjabi-Hindi.

Word usage is another key factor to observe. Even though Bangladesh and West Bengal are like East and West Germany, there are marked differences in common lexicons. For example, a judge once asked a respondent, "What did you slip on? Was it water?" I repeated the question twice and the respondent gave no sign of having understood it. I then repeated it slowly in the hope that he would surely understand that way; to no avail. The judge finally said, "Well, was it water or oil that you slipped on?" It was only then that the respondent's face

grew radiant as he said *pani*. I should have known all along that Bengalis of Bangladesh use *pani*, the Urdu word for "water" whereas the Bengalis of Bengal use the Sanskrit word *jawl*. Something as elementary as water was not being understood! I was using a standard word instead of one he would have more readily understood.

The parameters of Sanskrit or Urdu root will dictate a speaker's choice of words. There are a vast number of cognates, but also very different words and sounds, as well as hybrids. A Hindi speaker from Bihar will not understand if I speak to him in Lucknow or Urdu-Hindi. Take for instance the word "use": a Sanskrit-based Hindi speaker will say *vyabhar* and the more literary ones *prayoge*, while the Urdu speaker will use *istaymal*. Thus, an interpreter can sometimes tell by a person's word choice approximately where he is from and what his religious persuasion might be.

Besides the thirty-four varieties of Hindi, as a legacy of the British Raj Indians now also have to contend with English, which I might add, also needs translation. A person once said to me in Bengali, I have to *takkar* my mother, meaning I have to "take care" of my mother. *Takkar* means "hit" or "jolt" in Bengali and you can imagine my dilemma in interpreting such an extreme statement and a non-sequitur. Another favorite expression amongst Bengali and Hindi speakers is *jaaab* meaning "job" and is used like a place name — "I have to go to *Jaaab*" — much as one would refer to a park or a shopping mall.

In addition to knowing about the principal's mother tongue and cultural origins, social conventions are also a matter for consideration. For purposes of identification, a person is asked address, date of birth, mother's maiden name, etc. A respondent

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*Insular thinking can get one  
into trouble.*

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who has lived in this country for a while has learned to answer these questions if not by education, then certainly by rote. But some respondents only repeat what someone else is prompting them to say from the background. This of course is not acceptable to the person doing the identification. For example, a seemingly simple question is the date of birth. Nowadays, with the advent of birth certificates, people in India have birthday celebrations and remember birthdays as well as the rest of the world. But prior generations went about it differently, such as by saying "Oh, so and so was born shortly after Navin's middle child, therefore he must be this old." In situations like this, one frequently hears the date of birth given as the first of January. Under these circumstances I would imagine that the year of birth is also an approximation. And there is an added complication when the respondents use the lunar calendar rather than the Western calendar to remember dates.

As for the mother's maiden name, why would a respondent know that? He has only known his mother's name as *Bhabi* meaning "elder sister-in-law," or "the mother of so-and-so." Given this set of mental attitudes, how can anyone give his exact date of birth or mother's maiden name? If not, can the person really exist in the eyes of the authorities? All too often the person not only does not know these things, but he considers them irrelevant. He then may turn confrontational, aggressive or non-cooperative. If the interpreter can assess the reason for this behavior, she may be able to dilute the intensity of the confrontation.

Legal language such as "voluntary departure," "cancellation of removal," "change of status," are expressions lost on an English speaker, let alone a speaker of a different language. The interpreter can only render them while the respondent is left to assume dire consequences. One hopes that the respondent's attorney will explain the process in detail at a later time.

Similarly with medical terminology, although in my experience, doctors can devote more time to explaining the names of the illness and the tests. The non-English speaker does learn the words but only with difficulty can he pronounce them or write them down, or spell it for someone else to write down. This is when interpretation becomes futile because the principal knows even less about the Hindi words of *jigger* or *yakrit* than he does about what he calls *leewar*, also known as "liver" (bearing in mind that "v" is pronounced variously as "bh" and "w" in both Hindi and Bengali, and "W" and "Z" are non-existent in Bengali.) If the respondent's entire exposure to anatomy has been conducted in English, it is best for the interpreter to leave it that way.

Disabilities, whether mental or physical, must also be taken into account. For example, many times I have interpreted in the required language or even changed languages mid-stream, but met with no understanding. Then, after ten minutes of consulting charts and tables, medical personnel discover that the patient has had a stroke and is incapable of either comprehending or speaking the language she has spoken for the past 70 years.

Lastly we have the challenges of English spoken with an accent. One instance of a quite serious gaffe on my part occurred at a hearing when I was following the movements of a respondent very closely. I saw her make a rolling motion with her foot as she narrated police brutality by saying, "And he stepped me, and

he stepped me." Everything in this sentence was said in Bengali except the word "stepped" and I rendered her statement as, "he stepped on me." In fact, what she had been really trying to say was, "He stabbed me. He stabbed me." Unfortunately, an interpreter can only render what she hears.

Being able to see the principal is a definite advantage for the interpreter, unfortunately impossible over the phone. I recall one instance when I had to emphasize all the directives to a woman giving birth by breaking down phrases over the phone. Happily, she gave birth to a healthy baby and I never forgot to say *pani* for water at any time during this assignment.

While these observations are intended to aid other interpreters, sharing this knowledge with monolinguals will help in the larger goal of promoting cultural understanding and tolerance. But to interpreters, I conclude with this: know as much about the principal as you possibly can, have a few gigabytes of memory to store all the information you learn, and have instantaneous recall ability. **Namaste and Assalaam-Aleikum! ▲**

*[The author is a California registered court interpreter; there is currently no certification testing in her languages. She holds an M.A. from the University of California, Berkeley, in comparative literature. This is an edited version of a paper read at New York University's Second International Translation Conference, June, 2004.]*

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#### MESSAGE FROM CHAIR *continued from page 2*

SSTI continues to develop its plans as outlined by President Peter P. Lindquist in the Spring *Proteus*. Of particular note are the remarkable training sessions offered by MVOITI Executive Director Janis Palma and Professor Dagoberto Orrantia; see p. 10 for the next events.

Much is going on in association with other like-minded organizations. NAJIT has joined the American Council of Teachers of Foreign Languages. Teresa Salazar and Gladys Segal will be presenting on judiciary interpreting to the American Bar Association Tax Section at its May 2005 meeting in Washington, D.C. NAJIT members in Washington state provided input to the Department of Labor and Industries as it implemented new requirements that included professional qualifications for interpreters. Isabel Framer coordinated an extraordinary effort to provide entries for an "I Speak" booklet to identify language needs of non-English speakers, prepared by Ohio Criminal Justice Services, the Summit County Sheriff's Office, and the City of Loraine Police Department.

Welcome new members! The Board is very pleased to have so many judiciary interpreters and translators joining NAJIT. We welcome your energy, interest and contributions. Thanks also to everyone who has renewed. Member support is the bedrock of our activities.

Alexander Rainof, Ph.D.  
Chair, Board of Directors

## STATE ROUND-UP: HAWAII

March 11, 2005

Representative Sylvia Luke, Chair  
House Committee on Judiciary  
Honolulu, Hawaii

Re: **SUPPORT**, SB 979/HB 1191, Relating to Court Interpreters

Dear Representative Luke:

The National Association of Judiciary Interpreters and Translators (NAJIT), founded in 1978, is the only nationwide organization of court interpreters. Current membership stands above 1,100.

We include among our stated purposes: a) to advocate training and certification of interpreters through competent and reliable methodologies, b) to promote professional standards of performance and integrity, and c) to advance the highest quality services.

Certification is an objective, science-based method of testing to ensure that court interpreters meet *minimum standards* of competence. It is essential to assure the provision of competent, cost-effective court interpreter services. These services are fundamental to equal access to the courts and linguistic due process for the deaf and Limited English Proficient (LEP).

We agree with the National Center for State Courts (NCSC) Consortium for State Court Interpreter Certification publication, *"Court Interpretation: Model Guides for Policy and Practice in the State Courts,"* NCSC, 1995, pages 12+ and 89: "To address the causes of problems with court interpreting, comprehensive, state-wide mechanisms and procedures need to be formalized by statute...." "Formalized testing of language and interpreting proficiency (certification testing) is the best way to assess interpreter qualifications." (Available from MACROBUTTON HtmlResAnchor [www.ncsconline.org/D\\_Research/CourtInterp.htm](http://www.ncsconline.org/D_Research/CourtInterp.htm)).

The Judiciary began studying court interpreter issues in 1994 and joined the Consortium in 1997. After eleven years, the Judiciary needs this legislation to finally implement a certification program. SB 979 (HB 1191) is a good bill, largely based on the Model Act in the NCSC report cited above. It is the minimum needed. For the first time, it will put Hawaii on track to improve the quality of court interpreter services. With SB 617 (HB 498), Hawaii will be able to create a meaningful, effective, cost-conscious and legally defensible court interpreting program.

Hawaii's membership in the Consortium provides access to training expertise and tests. We urge Hawaii to use the resources for which the State has been paying since 1997, first with a membership fee of \$25,000, and since 2004 with an annual fee of \$2,500. Hawaii's taxpayers have the right to expect results for their money, and Hawaii's LEP population has the right to expect justice now.

NAJIT understands that Hawaii has a core group of people who are prepared to take and pass a court interpreter examination. The Center for Interpretation and Translation Studies at UH-Manoa graduated people from its conference interpreter program in Japanese, Mandarin, and Spanish in the early 1990s. In 1991, Spanish interpreters formed a study group. Interpreters in Korean and Vietnamese have purchased study materials and are preparing themselves. These conscientious people deserve a chance to take an exam without any further delay.

Now is the time for action. Please pass SB 979 (HB 1191) and SB 617 (HB 498) when they crossover from the Senate.

Thank you.

Sincerely,  
Alexander Raïnof, Ph.D.  
Chair, NAJIT Board of Directors



## New Translation Program in Los Angeles



California State University, Northridge is proud to offer a new program in translation starting in fall 2005. Learn how to use your bilingual skills for financial success and upward mobility – and a college degree is not required.

**Join us for a free orientation on  
August 20th, from 1:00 to 4:00 p.m.**  
Registration is required, and a \$4 parking charge will apply.

For information and reservations, please contact The Roland Tseng College of Extended Learning at (800) 328-9900.

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**Northridge**



## NAJIT NEWS

For the last ten years of the last century, my husband and I were deeply involved in school reform. Our initial outrage at the low expectations for our young sons, in a suburban district that had a reputation for excellence, was strong enough to fuel a decade of concentrated effort. We had good companions on the journey, one of whom said, “If you stick a pin in a rhinoceros enough times, it won’t move fast, but eventually it will move.”

Our group did help bring about substantial changes in our schools. From my personal point of view, the experience was also good training for other kinds of reform efforts. As NAJIT members struggle with the ignorance, unconcern, and rank injustice that often surround non-English-speakers in our court system,

there may be a temptation to feel, sometimes, that the job is too much for us — too big ever to be finished.

At times like that, it’s good to see that the rhinoceros is moving forward. Not as fast as we would like, and not as fast as it should — nevertheless, change is taking place in our society. The U.S. Government officially recognized the “Year of Languages” effort earlier this year with these resolutions. Thanks to my colleague David Cotlove for compiling the summary below. May we all be inspired, in whatever zoo we find ourselves, to keep sticking pins in those rhinos!

Ann G. Macfarlane  
Executive Director

S. Res. 28, the Senate Resolution designating 2005 as The Year of Languages, was passed by the full Senate on February 17, 2005.

On March 8, the U.S. House of Representatives passed H. Res. 122 calling for the establishment of a “Year of Languages” recognition program in the United States to highlight the increased need for foreign language education.

Selections from the Senate Resolution:

Whereas according to the 2000 decennial census of the population, 9.3 percent of Americans speak both their native language and another language fluently;

Whereas according to the European Commission Directorate General for Education and Culture, 52.7 percent of Europeans speak both their native language and another language fluently;

...

Whereas Report 107-592 of the Permanent Select Committee on Intelligence of the House of Representatives concludes that American multinational corporations and nongovernmental organizations do not have the people with the foreign language abilities and cultural exposure that are needed;

Whereas the 2001 Hart-Rudman Report on National Security in the 21st Century names foreign language study and requisite knowledge in languages as vital for the Federal Government to meet 21st century security challenges properly and effectively;

Whereas the American intelligence community stresses that individuals with proper foreign language expertise are greatly needed to work on important national security and foreign policy issues, especially in light of the terrorist attacks on September 11, 2001;

Whereas a 1998 study conducted by the National Foreign Language Center concludes that inadequate resources existed for the development, publication, distribution, and teaching of critical foreign languages (such as Arabic, Vietnamese, and Thai) because of low student enrollment in the United States; and

Whereas a shortfall of experts in foreign languages has seriously hampered information gathering and analysis within the American intelligence community as demonstrated by the 2000 Cox Commission noting shortfalls in Chinese proficiency, and the National Intelligence Council citing deficiencies in Central Eurasian, East Asian, and Middle Eastern languages: Now, therefore, be it

*Resolved, That—*

(1) it is the sense of the Senate that foreign language study makes important contributions to a student’s cognitive development, our national economy, and our national security;

(2) the Senate —

(A) designates the year 2005 as the ‘Year of Foreign Language Study’, during which foreign language study is promoted and expanded in elementary schools, secondary schools, institutions of higher learning, businesses, and government programs; and

(B) requests that the President issue a proclamation calling upon the people of the United States to —

(i) encourage and support initiatives to promote and expand the study of foreign languages; and

(ii) observe the ‘Year of Foreign Language Study’ with appropriate ceremonies, programs, and other activities.

## DEBUT OF NAJIT SCHOLARS PROGRAM

**N**AJIT's Education Committee and Student Outreach Project teamed this spring to offer the first ever NAJIT Scholars Program under the stellar guidance of Chair Vanesa Ieraci. This opportunity gave current students and recent graduates of translation and interpretation programs around the U.S. the chance to apply for a NAJIT annual conference scholarship (waived registration fee) and a \$100 stipend. Applicants were required to answer three questions addressing the importance of involvement in professional organizations, reasons for joining the field, and the benefits they expected to glean by attending the conference. A strict deadline for receipt of applications was enforced. Thirty out of thirty-four applications met submission requirements. Applicants represented 13 states; 17 interpreting/translating programs; and 5 primary working languages: Spanish, American Sign Language, Portuguese, Tagalog, and Arabic.

Many thanks to the scholarship judges: Michele LaVigne, Esq., Professor at the University of Wisconsin School of Law; Dr. Dagoberto Orrantia, Associate Professor of Spanish with the Department of Foreign Languages and Literatures at the John Jay College of Criminal Justice of the City University of New York; and Stephanie Kerkvliet, Interpreter of American Sign Language, who holds Registry of Interpreters for the Deaf Specialist Certificate: Legal. Thank you also to Timothy Mumm for reviewing and confirming the final scores.

### ■ Congratulations to the 2005 NAJIT scholars:

Sandy Juarez, University of California, Los Angeles Extension  
 Arthur Oder, Rutgers University, New Jersey  
 Ismar Bonillo de Baughman, University of California, Los Angeles Extension  
 Kathleen O'Regan, Northeastern University, Massachusetts  
 Monica Guelman, Miami Dade College, Florida  
 Jacqueline Chesney, Northeastern University, Massachusetts  
 Ana Rodriguez, Austin Community College, Texas  
 Elena Langdon, University of Massachusetts  
 Luisa Duque-Arbelo, Rutgers University, New Jersey  
 Fiorella Warger, Florida International University  
 Colleen Kane, College of Charleston, South Carolina  
 Erma Ducasa, Miami Dade College, Florida

Christina Engeman, William Woods University, Missouri, was awarded a scholarship but was not able to attend the conference.

The twelve selected scholars will attend an orientation event at the conference on Friday afternoon, and are responsible for modest volunteer duties during the conference weekend. They will be invited to write about their experiences for an upcoming issue of *Proteus*. ▲

Amy Free, NAJIT Scholars Program Coordinator  
 NAJIT Education Committee



**MIRTA VIDAL ORRANTIA**  
 Interpreting and Translating Institute



Society for the Study  
 of Translation and  
 Interpretation

### Forthcoming Training Events

#### ■ June 10-12, 2005

**Developing Skills for Oral Portion of English/Spanish Certification Examination**

Crowne Plaza Houston, 1700 Smith Street  
 1-713-495-7833 • Houston, TX

*Before May 27:* NAJIT members \$360, others \$375

#### ■ July 23-25, 2005

**Developing Skills for Oral Portion of English/Spanish Certification Examination**

Holiday Inn San Juan, 8020 Tartak Street, Isla Verd  
 1-787-253-9000 • San Juan, Puerto Rico

*Before July 8:* NAJIT members \$360, others \$375

**STATEMENT ON THE MOHAMMED YOUSRY CASE  
BY THE BOARDS OF THE AMERICAN TRANSLATORS ASSOCIATION AND  
THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS AND TRANSLATORS**

The boards of directors of the American Translators Association and the National Association of Judiciary Interpreters and Translators have followed with concern the recent trial and conviction of interpreter and translator Mohammed Yousry in *U.S. v. Ahmed Abdel Sattar, Lynne Stewart and Mohammed Yousry*.

Based on the trial transcripts and other materials, indications are that many aspects of the events leading up to the Lynne Stewart/Mohammed Yousry trial were not handled according to the standard recognized protocols for professional interpreting and translating in legal settings. Our organizations take no position about the guilt or innocence of individuals involved in any criminal case. We believe, however, that this case highlights many vital issues concerning the role, ethics, and proper procedures of our profession and that it is important to reiterate the proper protocols for such interpreters and translators.

Judiciary interpreters and translators are required to limit their scope of practice to providing interpreting and translating services only. When interpreters step out of that prescribed role, they not only expose themselves to serious personal risk; such deviations also may be greatly detrimental to the proper administration of justice, leading to an inaccurate court record, reversal of cases, unfair convictions, or acquittal of the guilty.

The following points are firmly established in codes of conduct and ethics promulgated by federal and state courts and professional associations, and govern the practice of interpreting and translating in any legal or quasi-legal setting:

- Judiciary interpreters and translators serve the judiciary process, not an individual party.
- They are the court's instrument to help ensure that constitutional due process guarantees are upheld.
- They are officers of the court, subject to the rules pertaining to all officers of the court.

- Their scope of practice is limited to providing interpreting and translating services.
- They are neutral parties and may not advocate for one side or the other.
- They are prohibited from providing legal or other advice.
- They must interpret all materials faithfully and accurately, without summarizing or editing.
- They may not interject their own words, phrases, expressions or opinions.
- They must inform the court if a real or perceived conflict of interest exists, which may include having an interest—personal, financial, academic or otherwise—in the outcome of the case.

In the rush to expand interpreting and translating capability after 9/11, we believe that crucial aspects required for accurate and ethical language services have been overlooked. The U.S. Government, the judiciary, attorneys and language service companies must recognize it is not enough to require that interpreters and translators possess near-native proficiency in two languages. They must also have been trained in specific skills and specialized terminology, and possess a profound and practical knowledge of their role, professional protocols, and ethical responsibilities.

We very much regret that such professional awareness, understanding and practice appear to have been lacking in this case. We call upon all concerned with second-language issues in legal settings to assist in creating widespread awareness of the standard protocols. Only then can judiciary interpreters and translators practice their profession secure in the knowledge that their code of ethics and guidelines both serve and protect them and their clients, while advancing the administration of justice.

Scott Brennan, President, for the ATA Board of Directors  
Alexander Rainof, Ph.D., Chair, for the NAJIT Board of Directors  
March 1, 2005

#### ■ REFERENCES

*Fundamentals of Court Interpretation*, Code of Professional Responsibility of the Official Interpreters of the United States Courts

*Court Interpretation: Model Guides for Policy and Practice in the State Courts*  
Chapter 9 Model Code of Professional Responsibility for Interpreters in the Judiciary: [www.ncsconline.org/wc/publications/Res\\_Ctlnte\\_ModelGuideChapter9Pub.pdf](http://www.ncsconline.org/wc/publications/Res_Ctlnte_ModelGuideChapter9Pub.pdf)

Code of Ethics of the National Association of Judiciary Interpreters and Translators: [www.najit.org/najethic.html](http://www.najit.org/najethic.html)

ASTM Standard Guide for Language Interpretation Services F 2089  
Section 11.2.4.1 LAW

#### ■ INFORMATION SPECIFIC TO THIS CASE:

<http://news.findlaw.com/hdocs/docs/terrorism/uslstrwt111903sind.html>  
Superseding Indictment: *U.S. v. Ahmed Abdel Sattar, Lynne Stewart, and Mohammed Yousry*

[www.lynnestewart.org/transcripts.html](http://www.lynnestewart.org/transcripts.html)

- Video tape transcripts, 5/19/2000 - 5/20/2000
- Mohammed Yousry testimony, 11/15/2004 - 11/29/2004
- Summation for the defense, 1/4/2005
- Rebuttal summation (prosecution), 1/10/2005

American Translators Association  
225 Reinekers Lane, Suite 590  
Alexandria, VA 22314

National Association of Judiciary Interpreters and Translators  
603 Stewart St., Suite 610  
Seattle, WA 98101

## CALL FOR PAPERS



### NAJIT 27th ANNUAL CONFERENCE

May 19 – 21, 2006

J. W. Marriott Houston

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■ Deadline for submission of proposals: **Friday, September 23, 2005**

NAJIT 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, including:

- Interpreter training
- Specialized terminology
- Interpreting techniques – all languages
- Specific language interpreting techniques
- Tape 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](http://www.najit.org), or contact headquarters to request a copy.

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*ata*  
2005

American Translators Association

#### Professional Development Seminars and Conferences

April 29-May 1

#### ATA Financial Translation and Interpreting Conference

Jersey City, New Jersey

CONFIRMED: visit [www.atanet.org/pd/finance](http://www.atanet.org/pd/finance) for details

July 9

#### ATA Translation Software Tools Seminar

Chicago, Illinois

CONFIRMED: visit [www.atanet.org/pd/tools](http://www.atanet.org/pd/tools) for details

September 24

#### ATA Business of Translating and Interpreting Seminar

Salt Lake City, Utah

November 9-12

#### ATA 46th Annual Conference

Seattle, Washington

CONFIRMED: visit [www.atanet.org/conf2005](http://www.atanet.org/conf2005) for details

*Schedule is tentative and subject to change unless otherwise noted.*

## LETTERS

The author wrote this letter in response to an article entitled "Take Care When Notarizing Foreign Papers" in a recent issue of Notary Bulletin, published by the National Notary Association, [www.nationalnotary.org](http://www.nationalnotary.org).

As a notary and court certified interpreter for Spanish for the State of California and also a federally certified interpreter, I take deep offense to the passage in the cited article that states: "An interpreter should not be used to communicate with the signer, because this individual might have an interest in misrepresenting the signer's wishes." Every court certified interpreter takes an oath to truthfully and accurately interpret from English into the target language. Furthermore, our ethics prohibit us from participating in any matter in which we may have an interest or bias or in which it may be perceived that we have an interest or bias. I find it reprehensible that the article casts aspersions on an entire group of highly skilled professionals. Interpreters fulfill a very important role not only in the legal arena but in a myriad of fields. If the professionals who work in those fields can trust and depend upon the truthfulness, objectivity and professionalism of interpreters, I fail to see why the National Notary Association cannot do the same.

Brian Sellers Brewster

## ITEMS OF INTEREST

### MA in Teaching Interpreting

Northeastern University, Boston, MA

Northeastern University and Project TIEM Online are excited to announce a Master's Degree Program for interpreting educators, beginning in September 2005. Pending approval from the university, the program will begin accepting applications for this new degree program in the spring of 2005. The program will offer a full degree program, with most courses being offered online via the WWW.

The goal of the curriculum is to provide learning opportunities for current and future interpreting educators that combine in-depth knowledge of post secondary teaching practices, adult learning, and the field of interpreter education with learning-centered, reflective teaching approaches. This knowledge is put into practice through learning-centered, collaborative, and problem-based approaches designed to encourage reflective self-assessment of teaching practices. In addition, the courses are designed to model the practices that educators will be learning, practicing, and reflecting upon during their studies.

Updated and expanded information about courses, application requirements and program philosophies for the new MA in

> continued on page 15

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 ▶ Court Interpretation as a Profession (CEU)  
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## LANGUAGE LORE

## How Noble in Reason, or Shakespeare in Court

Yolanda France

Professional interpretation requires bicultural experience, the ability to readily comprehend the two cultural backgrounds of the persons to whom the interpreter is providing service. In both criminal and civil matters, these backgrounds can range from that of a Harvard-educated attorney to that of a Kanjobal native of Guatemala whose notions of time and relationships are markedly different from those developed by European-language speakers.

In the United States, Spanish court interpreters often encounter individuals from southern Mexico and Central America whose Spanish is rudimentary. They come from remote regions where the languages spoken are Huasteco, Itza, Mam, Kekchi and Tzutuhil, among others. Reading about the Mayan culture is helpful for understanding their world, and among the books available, the novels of Nobel Prize winner Miguel Angel Asturias can offer valuable insights.

As to broadening one's comprehension of the English-speaking world, there are of course many great authors. Among them, none has had such a lasting influence on the English language as William Shakespeare, whose writing likely comes closest to the soul of our language.

Shakespearean verse is beyond doubt, the most abundant well-spring of common English language phrases in wide circulation today: *in my mind's eye; he wears his heart on his sleeve; to be eaten out of house and home; a foregone conclusion; the long and the short of it*, among many others.

The principles we live by today were being keenly debated in Shakespeare's time. The ascendancy of parliament in government and the struggle for freedom of speech in Elizabethan England

directly influenced American institutions. Trials, such as that of Mary Queen of Scots were closely followed. The Bard masterfully reflected the spirit of the trials that were the talk of the town. In his language we can still hear the passionate public debates of the era:

*As she hath  
Been publicly accused, so shall she have  
A just and open trial.* — The Winter's Tale

*We must not make a scarecrow of the law,  
Setting it up to fear the birds of prey,  
And let it keep one shape, till custom make it  
Their perch and not their terror.* — Measure for Measure

At the theatre, with a book, or simply browsing one of the many sites listing quotations from William Shakespeare, you'll realize he appears in court fairly often.

For interpreters, who in the *skirmish of wits* in court, try to understand *what is in the quips* of those we translate for; expressed either by those with *brevity, the soul of wit* or by *fellows of infinite tongue*. For us, who intrepidly interpreting venture forth into a *brave new world* of words every day, while on an infinite quest to avoid that uneasy sensation of *it was Greek to me* or *Zounds! I was never so bethumped with words*. For us, as well as for all who delight in the English language, Shakespeare is a fun and enlightening companion to bring along.

[Freelance translator, court and conference interpreter, the author is currently a staff interpreter with the U.S. District Court in San Diego. Contact: [yolanda\\_france@casd.uscourts.gov](mailto:yolanda_france@casd.uscourts.gov).]

## El idioma español en América

Antonio José Cárdenas

Cuentan que un ex presidente de Colombia, al llegar a Madrid después de haber cumplido su mandato comentó ante los altos funcionarios del Gobierno español que en su país era donde mejor se hablaba la lengua de Cervantes. El ex mandatario quizás no recordaba que alguien en Bogotá le habría dicho alguna vez: "Ala, qué chinos tan chirriaos tenés vos," queriendo decirle: "Hombre, que niños tan simpáticos tienes".

Cada país tiene sus modismos, y en realidad, en ninguno de los de América se habla el castellano mejor o peor que en otros. La palabra "guagua", por ejemplo, que se usa en Cuba como sinónimo de "autobús", en Chile y Perú significa "bebé". Y en México ese mismo vehículo para transporte masivo de pasajeros se con-

oce como "camión". En Cuba un habano es un cigarro puro; en Colombia es un simple banano. Un "chino" en Colombia es un muchacho, en tanto que en Chile se le dice así al indio y en México esa palabra se aplica al que tiene el pelo rizado, y al muchacho se le llama "chamaco".

La "d" en la sílaba final de palabras como "soldado" o "pescado" se pronuncia fuertemente en México y en Ecuador, en tanto que en Colombia y otros países es casi muda (suena como soldao o pescao). "Vaina" en España es la funda de alguna arma u otros instrumentos, o también el forro de algunas legumbres. En Colombia, decir "qué vaina" significa "qué molestia" y en Venezuela es una expresión soez e imperdonable

También en Colombia son muy corrientes expresiones como: “Regáleme su cédula” o “Regáleme su firma” como forma amable de decir: “Déme el número de su cédula” o “Por favor, firme aquí”. Igualmente, los bogotanos creen que es más correcto decir “Un vaso con agua” en vez de “Un vaso de agua.” En realidad, el vaso con agua puede contener poco o mucho líquido. El vaso de agua, en cambio, si define una medida completa. Olvidan, sin embargo, que en español también suele decirse “un plato de sopa”, “una canasta de manzanas.” La fama de Colombia de hablar buen castellano se deriva de que allá no suelen comerse tantas letras como se comen en las Antillas, por ejemplo. Bueno, en todas partes cuecen habas (o mejor dicho “se comen letras”). En Cuba, donde la “letrofagia” está muy extendida, suelen decir al expresar su nacionalidad: “Yo soy cuáneo.” En el Caribe colombiano también el hablar es muy antillano. Cuentan que un maestro en Barranquilla preguntaba a la clase: “¿Cuál é el plural de fóforo? Y un alumno respondía: Do fóforo.”

En realidad, no hay ningún país hispanoparlante donde se hable el idioma mejor que en otro. Cada nación tiene sus modismos, que son perfectamente lícitos, ya que el idioma “vivo” acepta constantemente nuevos giros. En cada país se usan palabras que se desconocen en otros. La hallaca venezolana se llama tamal en Colombia y lo que se conoce como tamal en México es un plato enteramente distinto, el cual en Colombia se llama envuelto. A ciertos vocablos castellanos se les da un significado diferente según el país donde se pronuncien. El verbo coger, por ejemplo, debe evitarse en Argentina. En cambio, en Cuba a la papaya se le llama frutabomba por no decir una mala palabra. El vocablo rentar cambia de significado en México. También allí se dice platicar con el significado de conversar. Al rubio se le llama güero en México, catire en Venezuela y mono en Colombia. En Venezuela cambur es el plátano amarillo y en Chile se llama porotos a los frijoles de México, que en Colombia esa misma palabra se pronuncia frijoles (con acento en la í), y estos en Venezuela se llaman caraotas. En México llaman recámara a la alcoba y les dicen chamacos a los niños.

Una estancia en Argentina es una granja en Ecuador o una hacienda en Colombia, mientras que en México eso se llama un rancho. Pero rancho en Colombia es apenas una humilde choza. A la meladura de la caña de azúcar cuajada en moldes se le llama panela en Colombia, papelón en Venezuela, piloncillo en México o chancaca en Perú.

Es interesante el origen de ciertos vocablos regionales. El zafacón (lata para basuras) de Puerto Rico se deriva de las palabras inglesas “safety can” (recipiente de seguridad), que exigían las autoridades yanquis cuando se hicieron cargo de la Isla. Y ese mismo vocablo pasó después a República Dominicana. La palabra “corotos” con que en Venezuela se designan los trastos o trebejos, se originó cuando el futuro presidente Antonio Guzmán Blanco, que había vivido largo tiempo en Francia llegaba de regreso a su tierra. Guzmán traía en su equipaje dos cuadros de Camille Corot y al ver bajar sus pesadas cajas del vapor decía: “Tengan mucho cuidado con mis Corots” ...y los estibadores repetían “¡Que tengan cuidado con los corotos del señor!”

En fin, cada una de las 20 repúblicas latinoamericanas tiene sus modismos exclusivos. Y para la muestra basta un botón, pues sería

ITEMS OF INTEREST *continued from page 13*

Teaching Interpreting is now available at our website. Please visit us at [www.asl.neu.edu/tiem.online/mati.html](http://www.asl.neu.edu/tiem.online/mati.html).

### New Program in Translation

California State University Northridge, Los Angeles, CA CSUN is proud to offer a new Program in Translation starting in Fall 2005. Upon completion of the program, a certificate of Advanced Professional Development in Translation will be issued. Visit [www.csun.edu](http://www.csun.edu) for details.

### American Translation Studies Association

#### Announcement and Call for Papers

Deadline for receipt of proposals: December 1, 2005

The American Translation Studies Association invites you to attend the third ATSA Conference, “Research, Role, and Responsibility.” The conference will be held at The Best Western Hacienda Hotel in Old Town San Diego, California on March 23-25, 2006.

ATSA encourages, supports, and furthers the study of translation and interpreting studies by disseminating knowledge and research relevant to all areas of language mediation, specifically translation and interpreting, regardless of discipline. Translation and interpreting studies here means the study of all forms of communication between languages, including translation, interpreting, localization, bilingual text revision, cross-cultural communication, and the various specializations, tools, and technologies involved in such activities. Presentations focusing on the act of communicating between human languages from a wide range of disciplines and methodologies, including translation studies, interpretation studies, applied linguistics, cognitive science, cultural studies, ethnology, sociology, anthropology, education, and other social sciences are welcomed.

Translation scholars are invited to submit proposals for papers. Presentations on all aspects of translation and interpreting studies are welcome. Papers will be divided into sections on translation/interpreting theory, research, pedagogy, and technology. Presentations will be 20 minutes in length, followed by discussion. There will be sessions Friday morning, Friday afternoon, Saturday morning, and Saturday afternoon.

For more information about the conference, please e-mail your questions (no proposals) to: [atsa2006@yahoo.com](mailto:atsa2006@yahoo.com). Send proposals to Dr. Claudia Angelelli, conference organizer, at [claudia.angelelli@sdsu.edu](mailto:claudia.angelelli@sdsu.edu), tel: 619-594-1678, fax: 619-594-5493. ▲

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motivo de hacer un estudio filológico de los 20 países hispanoparlantes para lograr una lista completa. Lo cierto es que ningún país de América puede vanagloriarse de hablar la lengua de Cervantes mejor que en otro. ▲

*[The author was editor for Pan American News Service, Editors Press Service, International News Service and Editora Moderna, and a correspondent for El Tiempo of Bogotá. After retirement, he worked as a freelance translator for “Selecciones.” At 95, he is still fascinated by language. One of his granddaughters is an interpreter.]*

## BOOK REVIEW

## THE INTERPRETER

Suki Kim

2003. New York: Farrar, Straus and Giroux  
294 pages, ISBN 0-374-17713-9

Nancy Schweda Nicholson

**T**he *Interpreter* is a novel of immigrants struggling in a new land, tracing the culture clashes that frame their lives and the lasting effects on the next generation. Its protagonist is Suzy Park, a 29-year-old Korean-American who first arrived in the U.S. as a young child with her parents and sister, Grace, two years her senior. The family followed the path of so many other Korean newcomers and settled in New York City. Among the many jobs the Parks hold over the years are stints in groceries and delis, nail salons, dry cleaners, fruit and vegetable markets and liquor stores, always working seven days a week, catching what sleep they can before returning to the never-ending grind. Ultimately, they come to own a small grocery, although the chilling circumstances of their ownership are not revealed until well into the story. Five years before Suzy Park's desperate life is laid before the reader, her parents are murdered in their store, a crime that remains unsolved.

Suzy is haunted by this memory and by the pain of having been alienated from her parents at the time of their deaths. The Park home had not been a happy one, with frequent moves from one borough to another. Suzy's father was angry, abusive and overworked. Her mother was bitter and terrified of her husband. Suzy's relationship with her sister was also conflictive; the vitriol between them is painfully described. In dealing with English speakers outside their community, Grace was always the one to interpret for the parents but, ironically, it is Suzy who later becomes the interpreter. She attends public schools until financial aid permits her to enter Columbia; however, Suzy quits in her senior year, running off with Damian, a married professor with whom she has been having an affair. Thereafter, Suzy has no communication with her family for four years, leaving Damian's house only after her parents die. She remains alienated from her sister, who went to Smith, majored in religion and works as an ESL teacher in a New Jersey high school.

Called for assignments through an agency, Suzy is screened via a mock trial exercise in Korean over the phone, then given a freelance contract. Her assignments include depositions, police questioning and trials.

The author's depiction of the interpreter's world is sometimes insightful, but full of contradictions. For example, she offers this cogent observation:

"... not all immigrant kids make excellent interpreters. What she [Suzy Park] possesses is the ability to be at two places at once. She can hear a word and separate its literal meaning from its connotation. This is necessary since the verbatim translation often leads to confusion. Thus an

interpreter must translate word for word and yet somehow manipulate the breadth of language to bridge the gap. While one part of her brain does automatic conversion, the other part examines the linguistic void that results from such transference. It is an art that requires a precise and yet a creative mind. Only the true solver knows that two plus two can suggest a lot of things before ending up at four."

In a description of note-taking, however, the author stresses word-for-word rendition rather than concept-for-concept: "No matter how long a sentence, she must not leave out a single word in her translation. An interpreter is like a mathematician. She approaches language as if it were an equation. Each word is instantly matched with its equivalent." And "Suzy translates with mechanical efficiency, as though each question simply filters through her, each word automatically switching from Korean to English."

The code of ethics frequently goes out the window. When a woman about to be deported refuses to give details of a stabbing, the interpreter adds as a footnote to her official rendition: "Please say more. This might be your last chance." Elsewhere, when an ADA tells a witness he can have an attorney present, the interpreter adds: "You really should bring a lawyer next time." The interpreter sometimes deletes or softens incriminating information and, on one occasion, omits an immigration judge's statement that a woman is not entitled to a hearing. Suzy's rationale? "Why drain the woman of her last hope?" Yet she realizes her actions are wrong and knows she would be fired immediately if her bias were discovered. Elsewhere in the book, impartiality is stressed: "An interpreter cannot pick sides. Once she does, something slips, a certain fine cord that connects English to Korean and Korean to English without hesitation, or a hint of anger."

The cleverly written plot-turning scene involves an interview between an ADA and a witness, Mr. Lee, during which Suzy realizes that the witness at one time worked for her parents and may know something about their murder. In the midst of the ADA's interrogation, Suzy inserts her own question. When the witness responds to her question, Suzy conveys the witness's earlier answer to the prosecutor and continues to take advantage of repetitious questions to ask the witness about his knowledge of her parents' murder. Of course, it's extremely convenient for Suzy that the ADA asks many of the same questions more than once, but how plausible and realistic is it that, with substituted queries, Suzy manages



to conduct her own investigation without the ADA realizing it and without arousing suspicion on the part of Mr. Lee?

In describing Suzy's work life, the author deals with matters that will ring true with practitioners, such as the interpreter as scapegoat; the fatigue factor; the interpreter viewed as a "savior" by fellow countrymen; the witness asking the interpreter for legal advice; and attorneys who ask interpreters and stenographers to get coffee or perform other tasks outside their professional sphere. (Suzy remarks that Korean attorneys, whose behavior stems from strict social stratification in Korea, are the worst in this regard.) The narrator also describes instances of purposeful rude treatment of the interpreter, when the attorney's goal is to anger the interpreter and derail the deposition. (Since depositions are costly and rarely rescheduled, the case then settles.) I'm not sure how realistic such a scenario is.

Korean cultural mores frequently contrast sharply with American ways. Suzy bitterly reflects on her strict upbringing: no make-up, no dances, no cigarettes, no American boys. The parents' plan was for their daughters to marry Korean men from suitable families; Americans were generally distrusted, an attitude that provides an ironic twist when we learn why and by whom Suzy's parents were killed. The reader also finds descriptions of racial tensions between Koreans and blacks, the power of Korean organized crime and gangs as well as insights into Korean food, especially bone-marrow soup.

The book also illustrates cultural differences that may lead to misunderstanding, such as the tendency for Koreans to underplay everything. For example, if a person were hit by a car but at the time refused an ambulance, such a statement could come back to haunt him later in a personal injury suit. Koreans also tend to overdress for legal occasions, viewing their attire as a mark of respect; however, a Korean man in a handsome, perfectly-pressed suit might have trouble convincing the court that he is facing financial hardship.

Kim also provides elucidation on naming protocols, patterns, bloodlines and the importance of children, ancestry and native language. Suzy and Grace were never allowed to speak English at home. Her father told them: "You must never forget your language; once you do, you no longer have a home." The girls went to Korean language school on Sundays, but really didn't need it since they always maintained their fluency. Another Sunday activity might include attendance at church services. Kim stresses, however, the economic rather than religious motivation for churchgoing, as it was a perfect place to make business connections.

Suzy often refers to being part of the "1.5 generation," trapped between the first and second generations. "Being bilingual, being multicultural should have brought two worlds into one heart, and yet for Suzy, it meant a persistent hollowness. It seems that she needed to love one culture in order to be able to love the other ... She was stuck in a vacuum where neither culture moved nor owned her."

Set in New York, the book wends its way through various subway routes, Penn and Grand Central Stations — clearly the author knows her public transport, talking about the FOB immigrants ("fresh-off-the-boat") on the number seven line.

With New York as the quintessential metropolis, where one can be surrounded by millions of people but feel desperately alone, loneliness and its manifestations are central themes of the book. Suzy is frequently physically cold, a surface manifestation of the coldness and emptiness she feels within. As a child, Grace was obsessed with reading. It took Suzy a while to figure out that Grace read not because she loved it, but because it allowed her to withdraw into herself, thereby escaping their dismal surroundings and life. Suzy frequently flashes back to a statement that her sister once uttered: "One day, if you find yourself alone, will you remember that I am too?" Suzy's current lover, Michael, is another married man, frequently in Europe on business. Very little can be gleaned about their relationship as Michael is only present via brief phone conversations and frantic messages left on Suzy's answering machine. In the course of the novel they never meet, which makes their affair seem contrived. Symbolically, Suzy is alone even with her long-distance love interest. Her continual involvement with married men is also telling, and the reader often has the feeling that a happy life will never be in the cards for Suzy.

Although this reader did not guess early on about the activities that contributed to the parents' demise, many of the characters are predictable and coincidences abound. The ending becomes clear from previous plot development, confirmed for the reader by Suzy's message to the police officer investigating the death of her parents. The story then winds down without fanfare.

*The Interpreter* is a depressing yet informative read. It is a story of sadness, desperation, loneliness and betrayal, lacking any real happiness within its pages.

Suzy Park describes her role during a deposition: "The interpreter, however, is the shadow. The key is to be invisible. She is the only one in the room who hears the truth, a keeper of secrets." There are many secrets in *The Interpreter*. Some are revealed, but the reader has the impression that Suzy's sad tale has only scratched the surface. ▲

*[The author is an interpreter trainer, consultant and professor of linguistics and cognitive science, with a secondary appointment in legal studies, at the University of Delaware.]*



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For more information, go to [www.wou.edu/regionx-iec](http://www.wou.edu/regionx-iec)  
Or contact Julie Simon, [simonjh@wou.edu](mailto:simonjh@wou.edu)

## CALENDARS

**N** AJIT offers these calendars as a service to its members. No endorsement of courses or events offered by other organizations is implied.

### CALENDAR OF EVENTS

- June 3-6, 2005. Chicago, IL. IJET-16. Japanese/English Translation Conference. Information: [www.jat.org/ijet/ijet-16/index.htm](http://www.jat.org/ijet/ijet-16/index.htm).
- June 12-14, 2005. Portland, OR. Symposium on Teaching Consecutive Interpreting. Western Oregon University. Information: [www.wou.edu/regionx-iec](http://www.wou.edu/regionx-iec).
- July 10-15, 2005. San Antonio, TX. RID National Conference. Information: [www.rid.org](http://www.rid.org).
- August 2-4, 2005. Kota Kinabalu, Malaysia. 10th International Conference on Translation.
- August 2-7, 2005. Tampere, Finland. FIT Statutory and General Congress. Information: [www.fit-ift.org](http://www.fit-ift.org).
- August 4-6, 2005. Omaha, NE. NATI Conference.
- September 9-12, 2005. Nashville, TN. TAPIT Conference.
- October 8-9, 2005. San Francisco, CA. CFI Conference.
- October 28-30, 2005. Kent, OH. First Ohio Valley Regional Interpreter Conference. Information: [www.ccio.org](http://www.ccio.org).
- November 2-5, 2005. Montreal, Canada. ALTA 28th Annual Conference. Information: [www.literarytranslators.org](http://www.literarytranslators.org).
- November 9-12, 2005. Seattle, WA. ATA 46th Annual Conference. Information: [www.atanet.org](http://www.atanet.org).
- November 18-20, 2005. Baltimore, MD. ACTFL Conference.
- March 23-25, 2006. San Diego, CA. Third ATSA Conference.
- May 19-21, 2006. Houston, TX. NAJIT 27th Annual Conference.

### TRAINING CALENDAR

- June 3-5, 2005. Jersey City, NJ. NCI: FCICE Oral Prep.
- June 4-5, 2005. Las Vegas, NV. CCS: Continuing Education.
- June 10-12, 2005. Houston, TX. MVOITI: Skills for Oral Certification Examination.
- June 10-12, 2005. Denver, CO and Washington, D.C. NCI: FCICE Oral Prep.
- June 11-12, 2005. Raleigh, NC. CCS: Customized Continuing Education.
- June 17-19, 2005. Nashville, TN. NCI: FCICE Oral Prep.
- June 25-26, 2005. Portland, OR. CCS: Continuing Education.
- July 9, 2005. Chicago, IL. ATA: Translation Tools Seminar.
- July 9-10, 2005. Albuquerque, NM. CCS: Continuing Education.

### TRAINING CALENDAR (continued)

- July 11-29. Tucson, AZ. NCI: Agnes Haury Institute for Interpretation.
- July 11-16, 2005. Tucson, AZ. NCI: Medical Interpreter Training Institute.
- July 12-28, 2005. Tucson, AZ. NCI: Professional Language Development Program.
- July 16-17, 2005. Phoenix, AZ. CCS: Continuing Education.
- July 16 & 23, 2005. Tucson, AZ. NCI: FCICE Oral Prep Seminar.
- July 18-22, 2005. Köln, Germany. International Terminology Summer School 2005.
- July 23-25, 2005. San Juan, PR. MVOITI: Skills for Oral Certification Examination.
- July 23-24, 2005. Omaha, NE. CCS: NE State Oral Exam Prep.
- July 28-31. So. San Francisco, CA. CCS: Federal Oral Exam Prep.
- August 6-7, 2005. Houston, TX. CCS: Continuing Education.
- August 14-27, 2005. Cambridge, England. Cambridge Conference Interpreting Course.
- August 20-21, 2005. Raleigh, NC. CCS: Continuing Education.
- August 27-28, 2005. So. San Francisco. CCS: CA State Oral Exam Prep.
- September 24, 2005. Salt Lake City, UT. ATA: Business of Translation and Interpretation Seminar.

### TRAINING ORGANIZATIONS

- ATA: American Translators Association
- CCS: Chang-Castillo Seminars
- MVOITI: Mirta Vidal-Orrantia Interpreting and Translating Institute
- NCI: National Center for Interpretation

## PUBLICATIONS COMMITTEE NEWS

Dr. Sylvia Zetterstrand relinquishes her positions as Chair of the Publications Committee and the Tape Transcription and Translation Project this month. The NAJIT Board has appointed Gladys Segal and Teresa Salazar as Co-Chairs of the TTT Project, effective May 15, 2005.

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An examination leading to the credential of

**NATIONALLY CERTIFIED JUDICIARY INTERPRETER AND TRANSLATOR: SPANISH**

The National Association of Judiciary Interpreters and Translators, together with the Society for the Study of Translation and Interpretation, are pleased to offer members and non-members the opportunity to register for the written component of the National Judiciary Interpreter and Translator Certification Examination.

The examination is being administered in Seattle, WA before the 46th Annual ATA Conference.

### DATE

**Written Examination:  
Wednesday  
November 9, 2005**

### TIME

Check-in 12 NOON  
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### PLACE

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Written Examination	<u>Member</u> \$125.00*	<u>Non-Member</u> \$150.00*
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*\*Cancellation Policy: A \$35.00 service charge will be deducted from any refund. In order to receive a refund, the cancellation request must be submitted in writing and received by Measurement Incorporated no later than 5:00 p.m. EDT on Friday, October 28, 2005. Postmarks will not be accepted. Refunds will not be issued to candidates who do not appear on the day and time of their scheduled examination.*

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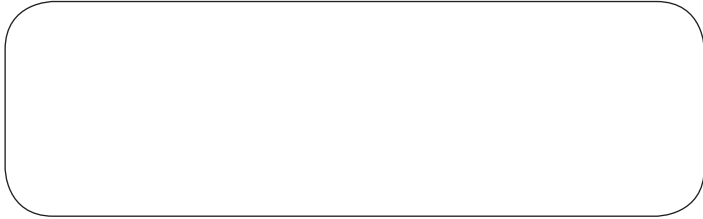
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Suggested voluntary contribution to SSTI	\$35	\$25	\$10	\$100	\$100	\$65
<b>TOTAL</b>	<b>\$140</b>	<b>\$110</b>	<b>\$50</b>	<b>\$400</b>	<b>\$260</b>	<b>\$180</b>

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