

FORUM

The Forum is intended to promote dialogue by providing space for shorter pieces of writing including opinions and suggestions, brief responses to papers, reports of research in progress, meditations, and descriptions of pedagogical strategies.

Professional Court Interpretation and the Christian Professor

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The Bible mentions the word justice at least 134 times, and the theme permeates both the Old and New Testaments – with emphasis on justice for the poor, for the underprivileged, for all members of society, for the foreigner, and for the oppressed. Justice includes such areas as fair treatment under the law, fair treatment by those in power, and fair treatment by those who have more toward those who have less. The Bible is very clear that we, as children of God, need to act justly in all areas of life. This theme of justice also speaks directly to interpretation – both for the need for professional interpretation for speakers of other languages, and for those who interpret to do so justly. (Interpretation in this context should not be confused with literary interpretation, an entirely separate field.)

Another biblical theme that speaks to interpretation is that of love and compassion; indeed, in the summary of the law, Jesus directs us to love our neighbors as we love ourselves. This compassion can be shown in many different ways, both large and small, but we clearly are to do everything in our power to love those around us.

Yet a third theme is that of loving the foreigner amongst us, and

treating them as members of our community. This theme is especially strong in the Old Testament, with God reminding the Israelites many times that they had been foreigners in Egypt, and now it was their turn to love the foreigners in their midst, and to treat them with justice and fairness. In the New Testament the focus turns somewhat more to loving the Gentile, with the clear message that God's grace through Jesus' saving work on the cross was for all nations, and not only for the Jews. But again, the message is to love people from all nations equally, without regard to nationality or place of origin.

These three Biblical themes need to guide any discussion amongst Christians concerning the need for interpretation for non-English speakers in North America (which many times is done at public expense), and the need for Christians to be involved in this area, either as part-time interpreters, who have developed their interpretation skills to a professional level, or as a calling to become a full-time interpreter.

Interpretation is generally divided into three modes. Simultaneous interpretation (more common in legal settings) involves the non-stop interpretation to one listener — many times with the aid of electronic wireless communication equipment — of what someone is saying publicly for the larger, English-speaking audience. Examples include opening and closing arguments in a court case and questioning of English-speaking witnesses in a case that involves a non-English speaking defendant. Consecutive interpretation (more common in medical settings), involves strong memory skills — listening to what the speaker says, retaining the information in short-term memory, and then accurately restating everything in the target language. Examples include questioning of non-English speaking witness in court, law enforcement situations, consultations at a doctor's office, or a sermon by a non-English speaking guest pastor. For court interpreters at the state level, accurate retention of up to 45 words is expected; at the federal level, up to 65 words. The third interpretation mode is sight-translation — receiving a document, quickly reviewing it, and then reading it in the other language. Examples include reading English court documents in another language for non-English-speaking defendants, and witness declaration statements from non-English-speaking individuals into English.

Although a professional interpreter's payment is in many cases from an institutional client (courts, law enforcement, hospitals, etc.), an interpreter many times is working with the less fortunate in society — recently arrived immigrants, often with low-income, and those with only a

basic understanding of how North American society functions. It is precisely this need for interpretation by this style of client that has encouraged me personally to continue with interpretation. There is a clear need and a direct way of addressing this need through the use of a skill that I have been able to develop at a professional level.

Professional interpretation is quite different from merely “helping out” an individual in a non-formal setting. The majority of interpreters choose a specific field, e.g. medical, legal, or conference interpretation, and work almost exclusively in it. Reasons include specific vocabulary, the working environment, and the nature of the interpretation.

Legal interpretation, because of the antagonistic and adversarial nature of the justice systems in North America, involves opposing sides attempting to disprove the other in the search for truth. What an interpreter learns at one point, e.g. interpretation for the defense, can never be revealed subsequently, e.g. during interpretation for the prosecution for the same case. (This situation of interpretation for both parties is quite strongly frowned upon and is to be avoided whenever possible; however, because of the lack of professional interpreters outside of large urban settings, it occurs many times.) Great care must be exercised to not alter the content, details, register, or nuances of what was said, because the opposing party will carefully analyze each statement. Impartiality is a must, no matter what the interpreter’s views on the case may be. Offering advice, explanations of legal terminology, interpreting in another register, indications that the individual might not understand the level of language, or personal suggestions or comments, are all forbidden. Even if the interpreter realizes that the non-English speaker does not understand the legal jargon being interpreted, the interpreter is forbidden to offer explanations (which is the work of the attorney).

Medical interpretation does not involve this adversarial situation. The medical staff, the patient, and the interpreter are all working as a team for the best of the individual. Although interpretation must still be highly accurate, what is stated will not be analyzed as a potential argument to point out the error in the statement, because everyone is “on the same side.” At times, additional comments, indications that a statement was not fully understood by the non-English speaking individual, or re-interpretation (re-stating what was just interpreted, but with other words), are warranted. An additional restraint in medical interpretation is time – in many instances, time is limited, either because of the doctor’s schedule, or because it is an emergency situation.

Religious interpretation involves the word of God. What a pastor says from the pulpit is inspired by the Spirit and is a message for God's people. An interpreter needs to be very cognizant that what is being interpreted is what God has led the pastor to say. For me, personally, this can make me nervous – attempting to interpret the words of a pastor. Accuracy is of utmost importance, even when the interpreter suspects that what is culturally appropriate for one target audience might not be received as well by a largely-Anglo audience.

As a professor of Spanish, I have chosen interpretation (and, specifically, legal interpretation) as my professional field. Northwestern College has supported me in this decision, and has encouraged me to pursue further studies and professional development in this area. Although I realize that most language professors generally focus on literature, pedagogy, culture, or linguistics, I have chosen professional interpretation for a number of reasons.

One important reason is that I “enjoy” interpretation. It can be mentally draining and physically exhausting many times. It can be difficult to balance classes and institutional responsibilities with an interpreter's schedule, which often involves working additional hours, and the road to professional certification is difficult. However, interpretation also brings satisfaction. I know that what I am doing helps allow justice to occur. As Christians we are called to seek justice. Without interpretation, it is difficult to see how justice can take place in the courts for a non-English speaking individual. I know that what I am doing helps the less fortunate. Many times the non-English speaking individuals for whom I interpret are nervous, apprehensive, and do not fully understand the long legal process between arrest and the judge's final decision. The mere detail that accurate and professional interpretation is now available for Hispanics in the largely rural setting of northwest Iowa provides a sense of security and reassurance for those Spanish-speaking individuals who for different reasons are facing criminal charges.

Professional certification is not easy. More and more states now require professional certification for legal interpreters (approximately 36 states now require certification for an interpreter to interpret in any official legal setting). Legal certification requires attendance at training workshops followed by written examinations involving multi-hour testing to test ability in English (slang, sayings, formal English, etc.), knowledge of court terms in English, and written translation of information from English into the other

language. Upon passing the written exams (generally with at least 80% accuracy), an interpreter is eligible to attempt the oral exams, which involve taped testing of all three modes of interpretation (simultaneous, consecutive, and sight-translation). To achieve certification, a minimum accuracy rate of 70% must be obtained in all three areas.

The field of medical interpretation certification is still much more in the developmental stage, with only two states (Oregon and Washington) requiring certification (although many other states are currently developing a certification process). Testing procedures are similar to legal certification testing, but with context-appropriate materials.

Although many bilingual speakers are able to “help-out” in many settings, the need for formal certification is restricting these opportunities more and more. Also, because of insurance reasons, more and more institutions in which interpretation normally occurs require some type of testing process in an attempt to ensure accurate interpretation and thereby avoid possible litigation.

In addition, bilingual speakers who help out in many situations regularly engage in “summary” interpretation. This common occurrence is helpful and much better than no interpretation at all; however, it normally involves a shorter version or brief summary of the basic information that was said, with many of the nuances and, at times, the details missing.

As a language professor, professional interpretation brings many benefits for my classes, the students, and for the college. I am forced to be very familiar with modern, spoken Spanish in all of its local varieties (i.e., differences between speakers from different countries, difference age groups. etc.), with Spanglish (although as a professional interpreter I may not interpret into Spanglish, many of the Hispanics regularly use Spanglish in their responses), and with slang and street Spanish. Different situations and experiences that I have encountered provide never-ending fodder for classroom examples in my language-acquisition classes, or to explain cultural terms and settings in other courses.

As I have more and more contact with a growing number of Hispanics, and area Hispanics are becoming familiar with Northwestern College also, my work as a professor and interpreter is a bridge between the mostly Anglo Northwestern community and area Hispanics. This connection is reinforced through other contacts such as student ministry groups, and has encouraged contact between students of Spanish and area Hispanics.

As the Hispanic population is growing rather quickly in northwest

Iowa (recent estimates show that approximately 36% of the children ages 0-5 are now Hispanic in Sioux County, in which Northwestern is located), the Hispanic population is also becoming a target population for college recruitment. The number of high school students is declining in this generally rural area, and more and more of the high school students are Hispanic. Although still very few in number, Hispanic students are being attracted to Northwestern, and the Admissions Office is beginning to place emphasis on the recruitment of Hispanics. Statistics indicate that the number of Hispanic high school graduates will rise dramatically in coming years for this area, and as such all bridges to the Hispanic community are welcomed by the college.

In addition to providing a valuable service to the community (an area of focus that is often quite important for smaller, Christian colleges) and contacts with individuals outside of the normal circles of the college community (such as court personnel), my involvement in court interpretation has allowed me to expose my language students to concrete examples of Spanish in the community. The court has granted me permission to take students to my interpretation sessions (but only with the consent of the attorney and defendant), thereby granting them insight into a side of the community with which many of them would not normally have contact.

The recent addition of written translation and oral interpretation classes to the Spanish program at Northwestern has attracted new students to the college. Although teaching interpretation at the undergraduate level is challenging – while very capable of acquiring the skills of interpretation, many students do not have the requisite range of needed vocabulary yet – students are interested in the program and are able to see the study of Spanish in new light. Also, for the oral interpretation course I teach, my court interpretation provides hands-on experience for students (all students are required to shadow me in the court a certain number of times).

Although interpretation provides additional income, the financial aspect alone cannot be the sole reason to become involved with interpretation. Legal interpretation involves at times the interpretation of situations that an interpreter would very much like to erase from memory. Although the court system ensures my payment, many times I have charged less than the stipulated rates because of the economic situation of the individuals involved. In an attempt to show my students that as Christians we have responsibilities that go far beyond economic incentives, I begin my interpretation course each semester with a discussion of I Corinthians 13 and

how it relates to all areas, including interpretation.

As Christians, we are called to act justly and live out justice in our daily lives. This justice needs to occur at both the national level – through immigration reform and just economic policies with other countries, amongst other areas – and at the personal or community level. Although the vast majority of Christian language professors have little input into what happens at the national level, we can make a very real difference at the personal and community level by encouraging more professors to consider professional interpretation as an area of expertise. By providing professional interpretation, we can make a very real difference in the lives of many individuals, and live out the words of the prophet Amos to “let justice roll on like a river, righteousness like a never-failing stream!” (Amos 5:24)

Nineteenth Annual Conference
of the
North American Christian
Foreign Language Association
Point Loma Nazarene University
March 26-28, 2009

Watch <http://www.nacfla.net> for details.

