

## SEEKING ANSWERS TO SERIOUS QUESTIONS: NAJIT CONFERENCE PANEL ON ETHICAL ISSUES DRAWS ATTENTIVE CROWD

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What do you do if...? This was the most frequent type of question working court interpreters directed to the expert panel assembled at the recent National Association of Judiciary Interpreters and Translators (NAJIT) conference in Seattle. The four-member panel—consisting of Judge Ron A. Mamiya (Seattle Municipal Court, former prosecutor in Spokane and member of the Task Force on Court Interpreting from 1985 to the present), Judge Michael Spearman (King County Superior Court, a former public defender and a member of Washington's original committee on interpreter issues), Joanne Moore, Esq. (former legal aid lawyer and founder and Director of the Washington State Interpreter Certification Program) and John Strait, Esq. (law professor at the Seattle University School of Law and an attorney who has to his credit two successful 6th Amendment challenges based on a defendant's lack of an interpreter)—was eminently qualified to respond to the interpreters' many hypothetical (and not so hypothetical) queries.

And judging from the questions that were posed to the panel, the interpreters working in our state and federal courts are indeed called upon to make many difficult decisions regarding serious professional and ethical issues. These issues range from what should an interpreter do if a judge decides at the very end of the work day to continue trial until 6:30 p.m. when the interpreter knows that she/he is by now so exhausted that it will be impossible to continue to perform at the required level of competence, to whether it is ever ethical to interpret for both the plaintiff and the defendant in the same case; from what action—if any—should an interpreter take if she is present in a

courtroom and hears an inaccurate interpretation by a colleague, to what to do if a judge tells the interpreter not to interpret something when the interpreter knows that these statements should be interpreted. Or whether it would be permissible to interpret for multiple defendants in the same case in a jurisdiction where there is a very limited number of interpreters of the language in question. Or what to do if the interpreter were convinced from one of the tapes that he had heard that the defendant could not have been read his Miranda rights. Or is it possible to interpret for the defendant and for the witness in the same proceeding? Other queries were very situation-specific—what to do if you know that a certain interpreter has been convicted of molesting a child for whom he was interpreting? Or whom to approach if you have heard that another interpreter has started to use your interpreter ID number in a distant jurisdiction where you once lived and had been certified?

It was very interesting to discover that while there was generally a consensus as to what was permissible and what was not, the panel members themselves were not always unanimous in their opinions on how best to handle certain situations. One thing, however, did become very clear: a code of professional responsibility is both a sword and a shield for the interpreter. Time and again the panel members urged interpreters to use their codes of professional responsibility to make it clear to judges, clerks, prosecutors, defenders, private attorneys and others what an interpreter can and cannot do, and what an interpreter must or must not do. The other crucial piece of advice from the judges and other members of the panel was just how important it is for the

interpreter to make it clear on the record that the interpreter was aware of her professional obligations under the code and that she wanted to fulfill those obligations. This not only protects the interpreter, but it is essential for the appellate court if the case should be appealed.

In summary, the overriding theme that emerged from this lively question-and-answer session was that many conflicting demands are placed upon interpreters. On the one hand, in many situations they are obliged both morally and under their professional codes of conduct to do what can only be classified as "clean-up" and even to compensate for the failings of others, but on the other hand, when they speak up regarding these very crucial issues, they run the risk of poisoning their professional relationships with judges, attorneys, court clerks and other officials.

*Lois Feuerle is the Coordinator of Court Interpreting Services for the State of New York Unified Court System.*

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**NOTIS** is a Washington State non-profit organization.

**NOTIS NOTES**

**WELCOME TO  
NEW MEMBERS**

**Mary L. Brown, Mechtild Chappelka, Indra Coles, Angelina Vallejo Cormier, Elke Dinter, Daniela Garaiz, Sara Koopman, Susan Larsson, Marie Christine Loiseau, Andrew Long, Hernán Navas-Rivas, Olga Nemirovsky, Manuela Pena-Lopez, Marcela D. Pinilla, Colette Ruckelshausen, and Anastasia Vitovitz**

**THANK YOU**

**Shoko Fujita-Ehrlich** for agreeing to assist in the production of ENN, the electronic version of *NOTIS News*. We will all be watching for her work.

**CONGRATULATIONS**

**Norgard Klages and Heath Miller** on the birth of twin girls, **Jana Rose** and **Nora Josephine** in the merry month of May. NOTIS potential keeps growing.

**Katalin Pearman** for a successful examination submission which earned her ATA Accreditation for Hungarian to English translation.

**CORRECTIONS TO THE  
MEMBERSHIP LIST**

We have received the following corrections to the membership list sent out in May: The work telephone for France Marien should be (206) 367-4896; For member Alan Seid, the following numbers should have been listed: Work (206) 726-1331, Home (206) 726-0825. Please accept our apologies for any inconvenience these errors may have caused.

**DIRECTORY LISTING  
FORMS DUE**

New members please take note: If you haven't already returned your directory listing form, you'll need to get it in to us soon to beat the July 31 deadline for inclusion. If we don't receive a listing form by then, you will not be listed. If you've misplaced the form, or aren't sure if you sent it in, please ask—we want YOU in the *Directory*. Renewed members: If you were in last year's Directory, don't worry, you'll be in this year's. Everyone will receive a proof sheet for the listing this summer.

**NOTIS SIMPLY  
SHINES FORTH**

NOTIS **Home Page** address is: [www.NOTISnet.org](http://www.NOTISnet.org)  
 NOTIS **e-mail** address is: [info@NOTISnet.org](mailto:info@NOTISnet.org)

## DIRECTORY PROOF SHEETS

In August, you will receive a proof sheet for your directory listing in the 1998 NOTIS Directory of Translators and Interpreters (if you were a member on record as of June 30, 1997 and we received listing information from you). If you have any changes or corrections to make, please use this sheet to make them. You **must return the sheet** no later than September 8, 1997, if you wish to make any changes to your listing. If we do not receive a proof sheet from you, we will assume you accept your listing as is and that it is free of errors.

## NOTIS NEEDS

### Program Committee Members

To provide informative, lively and timely programs for the members of the society, NOTIS needs several members to contribute ideas, collect details, arrange sites and publicize meetings. If you want to support and strengthen NOTIS please call NOTIS voice mail and volunteer for the program committee.

### Directory Production

Society members are needed to assist in producing our directory. If you can help by proofreading or negotiating with printers for the best rate, please come forward and call the voice mail. A member with ACCESS™ software capability is also sought to maintain our database of firms receiving copies of the directory. A little effort here helps produce a great return!

### Directory Advertising

It's summer, and advertising orders are being taken for this year's *Directory of Translators and Interpreters*. This year we will again be offering advertising to our members at a considerable discount. In addition, we are able to reference paid advertising in your member profile. If you have never advertised before, this is a terrific opportunity to market yourself. Our *Directory* is distributed to more than 600 potential clients. A business card sized-ad can help you stand out from the crowd, and for members, the cost is only \$30! If you'd like to reserve your space now, or if you have any questions, please leave a message for Elsa Brodin on our voice mail. The advertising deadline is September 1.

### NOTIS Board Meetings

Interested NOTIS members are always welcome to attend meetings of the Board of Directors, held about every six weeks. Since the meetings are held in private homes, please RSVP to the voice mail or by e-mail, to ensure that we have ample seating. The current schedule is: Wednesday, August 27, September 24, October 22 (dates are subject to change).

## MESSAGE FROM THE PRESIDENT

**ANN G. MACFARLANE, NOTIS PRESIDENT**

**A**rticles in this issue reviewing sessions at the May NAJIT conference will give our members some flavor of that interesting event. I was glad to meet colleagues from around the nation, and to learn more about court interpretation, a fascinating and demanding profession. Medical interpretation also faces special challenges now, with the cuts in funding decreed by the legislature and subsequent reductions in pay to interpreters. I hope that many of you will be able to attend the September conference being organized by our colleagues in the Society of Medical Interpreters, described in "Upcoming Events."

If you have ever wondered how the NOTIS board deals with the various issues facing the Society, why not attend a board meeting and see for yourself? Interested members are always welcome; details under "NOTIS Notes." Speaking as a totally impartial and disinterested commentator (inasmuch as I am the one who conducts the meetings), I may say that the subject matter of board meetings is always thought-provoking, the company excellent, and the pace lively. Please join us!

One of the new initiatives the board has undertaken is to establish a Board Development Committee. This small group, under the chairmanship of Jean Leblon, is developing a list of criteria for NOTIS board members and will be reflecting on what criteria could be more broadly represented among us. The plan is to develop a list of possible candidates, to be passed on to the nominating committee in the fall. We will have an election of directors at the Annual Meeting in December.

If any of you feel inspired to help out with our program committee (see "NOTIS Notes") please do get in touch. We are working on some excellent programs for the fall, but need some additional person-power to develop them. The Board decided against holding a picnic this summer, since attendance has fallen over the last several years. We would appreciate knowing the membership's views on whether that decision made sense or not, and on your programming preferences generally. Meanwhile I hope that you are all enjoying the Seattle summer which is finally making its appearance!

## MEETING REVIEW: TRANSFERRING FILES VIA E-MAIL

WILLY EVANS

The workshop on May 20 on transferring files electronically concentrated on the ins and outs of "bits" and "bytes" and on how they work together—or refuse to do so—on the way to their destination, your client's or colleague's computer. If you ever have (or had) problems with "garbage" symbols appearing on your screen when you try to read a downloaded file, it is probably because the sender (or his/her computer system) failed to "encode" the text properly. Usually that is done automatically when you attach a file to your e-mail message, but sometimes it doesn't work. The problem, according to presenter Michael Broschat, occurs when 8-bit text material has to go through the standard 7-bit transfer system. For example, a "Word" document is an 8-bit file, so it must be encoded into 7-bits to be sent. An encoding system such as MIME converts the 8-bit text into a different format, which will allow it to go through as a

7-bit text. At the other end, the material must be decoded into 8-bit stuff again.

In his own entertaining way, Broschat made his point by lining up groups of 7 and 8 workshop attendees to represent the bits. I got to play #8, so I was soon discarded.

To make a long story short, when a Compuserve member sends a file to another Compuserve member (or an AOL member to another AOLer), the encoding is done automatically; if, however, it goes to a recipient outside of Compuserve (or outside AOL), there may (or may not) be a problem. If there is, there are ways to do your own decoding. To get the whole story, NOTIS members may call the NOTIS voice mail, (206) 382-5642 and request the April *ATA Chronicle* article on "Sending Files via E-mail." It is a 2 1/2-page article by Michael Broschat and Melissa Meier which explains the encoding and decoding procedure in detail.

## MICHAEL BROSCHAT IS LEAVING SEATTLE

JEAN LEBLON

It is hard to believe, harder still to contemplate NOTIS doing without him. NOTIS and the NOTIS Board of Directors are losing a member who has been extraordinarily dedicated to the Society's mission. In fact, for ten years since its adoption, Michael has contributed without interruption to the definition and the refinement of our mission. Year after year, as the membership grew in number and composition, and as new services and activities were added, Michael faithfully and constantly helped us to stay focused on our course. It will always be a wonder for me to have seen and listened to Michael—as he leaned back in his chair, or lay comfortably on the floor—pondering out loud the implications of a proposed event or project, prodding our intelligence and our conscience, quietly and carefully wording questions and suppositions for our consideration.

Before he abandoned his work as translator of Chinese, about the time he came on board, Michael had realized early what the computer could do for the translator. He gave the first presentation to the membership when

the machine was for most still a mystery, and, in fact, a pretty primitive tool. He sought and found employment in the software industry which was then just developing in the area, and soon became the expert to whom we all turned for technical assistance. He became the SYSOP of our BBS, managed it unselfishly and devotedly, and answered our calls for help not only with efficiency, but also with kindness and extreme patience. We logically turned to him to chair our Computers and Translation committee, and to propose and carry out the committee's presentations to the membership. These sessions rapidly attracted some of our largest attendance. He and Alfred Hellstern, among others, kept the membership abreast of the latest advantages to be derived from working with a computer and using the vast resources of the Internet. Recently, Michael has teamed up with a lovely and bright colleague, Melissa Meier, and together they have proudly carried the torch of NOTIS to the ATA conference and the pages of the *ATA Chronicle*.

## UPCOMING EVENTS

### Medical Interpreters' First

SOMI - Society of Medical Interpreters is sponsoring the First Northwest Regional Medical Interpreters Conference, Saturday, September 13, 1997, at Shoreline Conference Center, Shoreline, Washington. Features include speakers, exhibits and translation software. For more information contact: Cindy Roat (206) 621-4472 or Thu-Van Nguyen (206) 621-4461.

### ATA 1997 Conference

The 38th Annual Conference of the American Translators Association (ATA) will be held from November 5-9, 1997 in San Francisco. At least 1,200 translators and interpreters from the U.S. and abroad are expected to attend the largest ever ATA Conference. Over 120 educational sessions will be offered, covering various language and subject matter topics. The exhibitors' area will feature 40 exhibits with the latest publications, software, and services available. An expanded Job Exchange area will allow individuals to promote their services, and companies will be able to look for the translators and interpreters they need.

Wednesday, November 5, will be devoted to pre-conference seminars in areas of particular interest, including Spanish legal translation, materials development for interpreter training, translation/voice-over strategies for corporate videos, and other topics. Optional sightseeing tours will also be offered.

ATA members will be receiving the Preliminary Conference Program and Registration Form in the mail in July; non-members who are interested in attending should request the program directly from ATA Headquarters, tel: (703) 683-6100, e-mail: atanet@compuserve.com, or you may call 1-888-990-3ATA (from a touch-tone phone only) to receive basic conference information via fax (ask for Document 80).



Thank you, Michael, for all you have done for NOTIS and for each of us individually. We will miss you immensely. We wish you a smooth and happy transition, and much satisfaction in your new endeavors!

*Jean Leblon is a founding member, past president and former treasurer of NOTIS. He now serves on the Board of Directors.*

# THE COURT CERTIFICATION EXAMINATIONS

JERRY TORGERSON, WA STATE CERTIFIED LAO INTERPRETER

**C**ertification Examination—it strikes fear in the heart of every interpreter. Pass it and you may have a career. Fail it and you may be looking for another means to make a living. Interpreters who interpret for some or all of their living have experienced the thrill of success and/or the agony of failure.

The 1997 NAJIT annual conference held in Seattle on May 16–18 presented a panel of experts on court interpreter certification examinations. The panelists were: William Hewitt, Roseann Duenas Gonzalez, Ph.D., and Ellen Bienstock.

Mr. Hewitt, Senior Research Associate from the National Center for State Courts, presented the state court certification program. He referred to a consortium of seven states that have voluntarily come together to establish standards and principles for state court interpreting. According to Mr. Hewitt, the Consortium court interpreter certification applies only to oral performance. There is no written portion. It follows the pattern of the federal certification examinations. The exam is given in two parts. The first part tests simultaneous interpreting and sight translating. This can be given in a language lab or in a group situation with proctors; it is a screening examination. The second part tests consecutive interpreting and is given in a face to face setting in front of

a two-person team of raters. The materials come from real court transcripts. Raters are trained in a day-long procedure.

Roseann Duenas Gonzalez, Ph.D is the Director of the National Center for Interpretation, Testing, Research and Policy. She presented the federal court interpreter exam. The federal exam tests only three languages, Spanish, Navaho, and Creole. This examination has been developed over decades of research. Dr. Gonzalez stated that it has become the standard for all language certification exams around the world. Federally certified interpreters have become the raters and arbiters of all other exams. The test standards are high and the pass ratio is quite low (around 4%). The test is set at 14th to 18th grade level of complexity, reaching to the MA graduate level. It is given in two parts, the written and the oral. The simultaneous interpreting part is set at around 150 words per minute.

Ellen Bienstock is the Berlitz Project Coordinator for Legal and Community Projects. She presented the testing procedure used by the Berlitz Interpretation Services Department. This examination is given over the phone and takes about half an hour. It is recorded and then sent out to reviewers or raters. It tests 60 performance categories. This is not a certification exam but is used to predict an interpreter's

potential to interpret successfully in a courtroom situation. Berlitz uses this exam because they must provide interpreter services for almost any language on short notice and sometimes in very remote areas. Ms. Bienstock stated that this exam enables Berlitz to evaluate prospective interpreters in even remote areas in a quick and cost-effective way.

The presentations were followed by questions from the audience. Most questions tended to focus around the federal and state examination programs. Opinions ranged from no confidence at all in the Consortium-certified interpreters because there is no written portion to the exam, to criticism of the federal exam for being too difficult. Calls were made to lower the standard so more people could pass. It seems hardly fair to compare the two testing programs since the federal exam tests virtually one language only, while the state exams are endeavoring to test most of the languages needed in the state courts. The federal court system is very different from the state court systems especially if the total cases heard in each court are compared. Nothing was resolved, but the examination programs were well presented and a few of the hotter issues were aired.

## MISCELLANEOUS

### Transweb Search Engine

For Internet-savvy language professionals, there is a new database of over 1000 translators on the Net. Set your browser to <http://www.translation.de> to view the beta version and to add yourself to the database. The search engine handles a huge number of language pairs and many areas of expertise. This is a prime example of using the Web to market your services! Don't forget to mention it to your colleagues and clients!

### Buenos Aires Journal Seeks Contributions

The Colegio de Traductores Publicos de la Ciudad de Buenos Aires is preparing an aca-

demical magazine devoted to translation, which will include various sections on translation problems, language and translation analysis, legal translation, literary, scientific and technical translation, translation theory, interpretation terminology, language, etc. In addition, it will include information on professional activities and publications from all over the world.

The publishers are currently requesting that translators all over the world send contributions to the e-mail address of the editor of the magazine, Mr. Miguel Wald ([mwald@bibtra.edu.ar](mailto:mwald@bibtra.edu.ar)). Correspondence will not be maintained with contributors of articles not chosen for publication.

Articles will be published in the language in which they were written, and their authors will be responsible for spelling and grammatical correctness.

All contributions must be formatted in Word Perfect or Word, for IBM-compatible word processors. Articles may not exceed 6,000 words and book reviews or bibliographical comments may not be longer than three pages (900 words). Very short articles will not be accepted unless they deal with an evidently restricted subject.

## CALENDAR

DATE	EVENT	DETAILS	TIME & PLACE
Sunday August 10	Society of Translators and Interpreters of British Columbia Picnic	Everybody welcome! Bring picnic lunch, children, swimming suits, whatever desired	12 noon to 4 pm Maple Grove Park SW Marine Drive and Yew St.
Saturday September 13	Society of Medical Interpreters	Medical Interpreting: An Emerging Profession	Shoreline Conference Center Shoreline Washington
Wednesday - Sunday November 5-9	American Translators Association 38th Annual Conference	Educational Sessions, exhibits, job exchange and networking	Hyatt Regency Hotel San Francisco California
November	ATA RECAP	To be announced	To be announced
December	Directory Mailing Party	To be announced	To be announced
December	NOTIS Annual Meeting	To be announced	To be announced

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