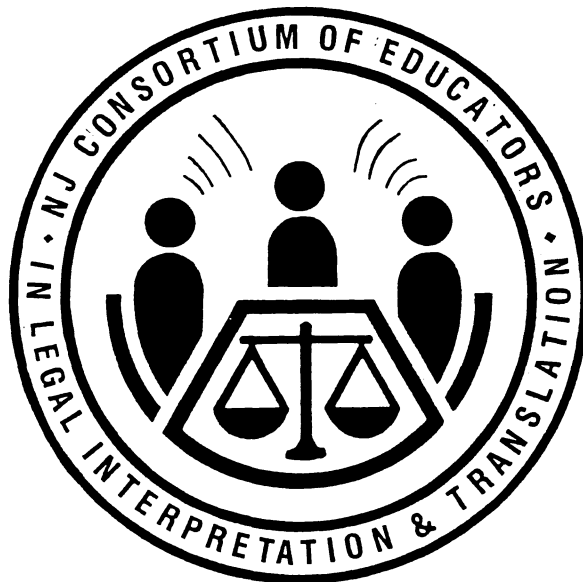

New Jersey Consortium of Educators in Legal Interpretation and Translation



CURRICULAR GUIDELINES FOR THE DEVELOPMENT OF LEGAL INTERPRETER EDUCATION

**NEW JERSEY DEPARTMENT OF HIGHER EDUCATION, PROJECT ON LEGAL INTERPRETATION
MONTCLAIR STATE COLLEGE
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PREFACE

It may seem to be stating the obvious to say that the role of a legal interpreter is to accurately COMMUNICATE a message from the source language to the target language. This is no mean feat, but rather requires a professional level of expertise in communicating across both languages and cultures. Complete fluency in the two languages involved is essential, but is only the initial building block.

The role of the interpreter as a necessary professional has long been recognized in the area of conferences and diplomacy. The United Nations and the State Department are prime examples of organizations which recognize the professionalization required of an interpreter. Yet, in the courts, this realization has come slowly.

Over the past decade, legal interpretation and translation have begun to receive their due professional recognition. At the national level, this is largely a result of the effects of the Federal Court Interpreters Act of 1978, the development of a subsequent federal certification process for Spanish/English court interpreters, and the implementation of rates of pay commensurate with the levels of expertise required for adequate court (also called legal) interpretation.

The Federal Court Interpreters Act is designed to put non-English-speaking witnesses and parties on an equal footing with those who are English-speaking. The implementation of the Act mandates, on the part of the federal judiciary, a recognition of the need to determine minimum levels of competency and a demonstration of required qualifications before an interpreter may be admitted to status as a certified federal court interpreter. The resulting court interpreters examination was developed by a group of experts consisting of court interpreters, international conference interpreters, language specialists and test construction specialists.

The Federal Court Interpreters Spanish/English Certification Examination has been offered seven times. Of 8299 persons who have taken the written examination, 2050 have passed the written portion and gone on to take the oral portion. Of these, 307 have ultimately been certified as federal court interpreters. This represents an overall success rate of 3.7%. It should be noted that these statistics include some persons who have re-taken the written and/or oral portions of the examination. One reason for this very low success rate is that, to date, the federal government has not developed any programs of education for aspiring interpreters.

New Jersey's Leading Role

As a direct or indirect outgrowth of the impact of the Federal legislation, a number of state, county and local jurisdictions have initiated some form of statutory or constitutional requirement regarding court/legal interpreters.

New Jersey is a state which has taken a national lead in addressing issues of professional competence for legal interpreters and equal access to justice for linguistic minorities.

Data analysis from the 1980 census reveals that, in New Jersey, almost one fifth of the population speaks a language other than English at home. In the State Court System of New Jersey, this linguistic diversity results in an estimated 8,000 court proceedings per month which involve a foreign language or American Sign Language interpreter. Qualified legal interpreters or translators are required in all of these instances.

A New Jersey Supreme Court Task Force on Interpreting and Translation Services was appointed by the Chief Justice at the end of 1981 and worked from 1982-1985, reviewing the availability and adequacy of services delivered to linguistic minorities by the Judiciary. The Task Force found that "language services are not being provided at a level of competence which makes the courts equally accessible to all persons regardless of their ability to communicate effectively in English". The Task Force Report highlighted the importance of education in the development of professional legal interpreting services.

Several areas of concern to the Task Force are particularly relevant here:

1. Provision of competent professional interpreting services in the courts - through sufficient numbers of competent interpreters.
2. The obligation to educate attorneys, court personnel, and judges as to how to work with an interpreter.
3. The necessity to provide cultural and linguistic information to judges and other court personnel who interact with linguistic minorities (including foreign language speakers as well as the deaf and hearing impaired).
4. The necessity to create a courtroom atmosphere which is conducive to the smooth administration of the proceedings while, at the same time, providing equal access to the legal system for limited-English speakers.
5. The need for programs of professional education for legal interpreters and translators.

The New Jersey Legal Interpretation Project

In response to the recommendations of the Task Force, the New Jersey Department of Higher Education has joined with the Administrative Office of the Courts of New Jersey and a consortium of public and private sector donors to provide funding to Montclair State College for the development of the New Jersey Legal Interpretation Project. Intergovernmental cooperation in this project includes support and interest from the Office of Court Administration of the State of New York and from the State of Connecticut.

This project, whose total funding is approximately \$350,000, is designed to develop comprehensive academic programs to meet the immediate and long-range needs of the Judiciary: to provide currently practicing bilingual interpreters with educational opportunities which have never before existed as well as to produce a cadre of highly skilled professionals to meet the future needs of the State's linguistic minorities. Until now, no comprehensive programs of professional legal interpreter education have been offered in the United States.

Fifteen of the hemisphere's most prominent experts gathered at a meeting in Reno, Nevada, in August 1986, to sketch the initial parameters for recommended curricular guidelines for programs in legal interpretation. Since that time, project goals and objectives have evolved in an upward direction, building upon the realization that far more in-depth and sophisticated professional education is required for legal interpreters than was initially envisioned.

The first year of the New Jersey Legal Interpretation Project culminated in an Educators' Pedagogical Institute on Legal Interpretation, held at Montclair State College from July 6 to August 1, 1987, and directed by Etilvia Arjona, an experienced interpreter and interpreter trainer from California.

New Jersey Consortium of Educators in Legal Interpretation and Translation (NJ-CELIT)

The New Jersey Consortium of Educators in Legal Interpretation and Translation (NJ-CELIT) has been formed by educators participating in the New Jersey Legal Interpretation Project, together with practicing interpreters representing the major professional organizations in the field. The Consortium includes

New Jersey Project participants from Glassboro State College, Jersey City State College, Montclair State College, Ramapo College, Rutgers University, and William Paterson College. Their purpose is to work cooperatively toward the development of comprehensive professional programs of legal interpreter education.

The programs now being developed by members of the Consortium will offer both the flexibility needed to meet the time constraints and academic needs of practicing interpreters and the in-depth programs required to educate bilingual individuals to become future professional legal interpreters and translators.

The curricular guidelines presented in this document reflect the fact that the New Jersey Legal Interpretation Project has evolved substantially since its inception. The recommendations of the consultants who met in Reno in 1986 have been re-examined, expanded, and adapted to the New Jersey context. This has been accomplished through the collective efforts of Consortium participants working with the Project's Primary Curriculum Consultant, Dr. Roda P. Roberts, Director of the School of Translators and Interpreters at the University of Ottawa.

In the long-term, the project's multifaceted approach calls for: courses to upgrade the educational level of currently practicing court interpreters, continuing education courses for practicing interpreters, undergraduate preparatory programs and, ultimately, one or more graduate-level professional programs in legal interpretation, either as certificate or degree-granting programs. These may be undertaken by individual institutions or consortially among several institutions.

Future Outlook

The New Jersey Project on Legal Interpretation provides an exciting opportunity for both institutions and individuals. For individuals, the Project holds the promise of rewarding career opportunities. For New Jersey institutions of higher education, it affords the possibility to develop a key aspect of the College Outcomes Evaluation Project, namely, the institution's critical impact on community and society.

The New Jersey Legal Interpretation Project represents a recognition that the professionalization of legal interpreters and translators, coupled with the awareness of judges and court personnel, is required for the smooth functioning of the courts and to provide equal access to justice for linguistic minorities. As the communication needs of our multicultural world continue to increase, more qualified interpreters will be required to meet them.

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CURRICULAR GUIDELINES

I. INTRODUCTION

1. Overview of Interpretation

Interpretation is the **oral** transfer of a message from one language to another. It is thus distinct from translation, which is the written transfer of a message from one language to another.

There are two main **categories of interpretation** depending on the types of languages involved: **spoken language interpretation** and **sign language interpretation**. **Spoken language interpretation** involves transferring a message from one spoken language to another. **Sign language interpretation** involves transferring a message from a spoken language into a sign language or from a sign language into a spoken language or from one sign language to another. The focus here is on spoken language interpretation and not on sign language interpretation, although much of what follows is equally applicable to sign language interpretation.

There are two main **modes of interpretation**: **consecutive interpretation** and **simultaneous interpretation**. While both share a number of elements (listening to speech in X language, storing language X speech in memory, transposing speech into Y language, and speaking language Y), in simultaneous interpretation all the tasks are roughly concurrent, whereas in consecutive the transposition of the speech into a different language and its expression in that different language are consecutive to the other tasks. In consecutive, the interpreter gives the interpretation in Y language after a speaker has finished the communication in X language, while, in simultaneous, the interpreter gives the interpretation in Y language virtually at the same time as the message is expressed in X language by a speaker, using audio equipment (earphones, mike, etc.).

Whispered interpretation is often considered a third mode of interpretation. However, it is nothing other than simultaneous interpretation performed without equipment in small-group settings for one or two people who do not speak the language of the majority. The interpreter places himself or herself next to those who do not know the language of the majority and "whispers" the simultaneous interpretation to them so as not to disturb the proceedings.

Finally, there is a hybrid mode, called **sight translation**, which involves both the spoken language and the written language. **Sight translation** involves reading a written text in one language and rendering it orally at the same time in another language.

All interpreters are expected to be able to do consecutive interpretation, simultaneous interpretation (including whispered interpretation) and sight translation. In addition, since the language-switching and message transfer skills acquired by an interpreter are similar to those required for translation, an interpreter may occasionally be called upon to translate as well as to interpret.

Neither translation nor interpretation imply word-for-word equivalence. In fact, the term "word-for-word translation" is a misnomer. Rather, translation and interpretation (T/I) involve the accurate transfer of a message from the point of view of both its content (viewed in terms of units of thought) and its style (viewed in terms of geographical dialect, register, level of specialization, etc.). The process involved is thus a highly complex one, which requires not only a wide range of keenly refined and superbly developed skills, but also special knowledge on the part of the interpreter.

2. What is a Professional Interpreter?

A professional interpreter is not merely a bilingual individual capable of understanding, speaking and writing two languages with a certain degree of ease. While bilingualism is essential for interpretation, it is only the starting point. An interpreter is a professional who has (1) **complete fluency in two languages**, (2) **interpretation skills**, (3) **a wide general knowledge**, (4) **a knowledge of the field in which he or she interprets**, (5) **bicultural sensitivity**, and (6) **a highly developed sense of professionalism**. Each of these points will be further developed below.

2.1 Complete fluency in two languages

Professional interpreters must not only be able to understand, speak and write two languages with a certain degree of ease, like most bilinguals, but must have complete mastery of both. Such mastery involves familiarity with slang, regionalisms, colloquialisms, dialectal variations, and specialized vocabulary. In effect, interpreters should be able to understand everything they hear in the source language (SL) and reproduce the original content in the same style and register in the target language (TL).

2.2 Interpretation skills

These are the skills that enable interpreters to transfer a message from one language to another, once they have acquired the linguistic skills presented in 2.1; in other words, they are the skills required for language-switching and message transfer.

Interpretation skills cover the following aspects: (1) Knowing what interpretation is and involves. (2) Being able to perceive sounds clearly. (3) Being able to grasp the meanings presented by the sounds. (4) Being able to grasp the logic underlying spoken discourse (distinguish main points from secondary points, identify the links between points, recognize formulaic expressions and redundancies, etc.). (5) Being able to simultaneously listen and note down elements that may otherwise be difficult to recall. (6) Being able to listen (+ understand + take notes if necessary) and speak at the same time. (7) Being able to readily recall at least short spans of speech. (8) Being able to transfer a message accurately and rapidly from one language to another. (9) Being able to transfer a message in the consecutive interpretation, simultaneous interpretation and sight translation modes. (10) Knowing how to prepare for an interpretation assignment (i.e. knowing what information must be obtained, where to go to find it, and how to use it intelligently).

2.3 Wide general knowledge

One cannot interpret what one does not understand, and one cannot understand what one does not know. Interpreters must therefore possess a wide general knowledge, which will enable them to comprehend all non-specialized discourse.

2.4 Specialized knowledge of given fields

Wide general knowledge, while a prerequisite for interpretation, is not sufficient for interpreting in specialized settings. A conference on telecommunications requires the interpreter to have specialized knowledge of the field of telecommunications and its terminology. Interpretation for a hospital visit requires medical terminology and a knowledge of the medical system. Legal interpretation calls for a knowledge of the legal system and courtroom proceedings, particularly the specialized terminology and procedures of the kind of trial in which the interpreter is involved.

2.5 Bicultural sensitivity

Interpretation is not only communication across languages but also communication across cultures. Thus interpreters must be aware of and sensitive to the cultural barriers to communication. These include not only regional or dialectal differences in language, but also differences in gestures, reactions, attitudes towards time, forms of personal address, etc. An unconscious lack of cultural understanding on the part of the interpreter is frequently perceived by the foreign language speaker as a lack of sensitivity and/or a lack of interest in the cultural aspects of communication.

2.6 Sense of professionalism

Interpretation, which involves interlingual and cross-cultural communication of messages, is a very delicate task that involves great responsibilities. Interpreters must therefore have a highly developed sense of professionalism. They must be aware of and respect the code of ethics of the profession. They must at all times be objective and impartial in their dealings with all parties involved in the communication situation.

To sum up, then, a professional interpreter is a competent, specialized and responsible individual who possesses all the characteristics outlined above.

3. Interpreting Specializations

Interpreters are called upon to work in different settings: primarily in legal settings, at conferences, and in the community. Since the different settings require special skills and knowledge on the part of interpreters, a distinction is often made among **legal interpreting**, **conference interpreting** and **community interpreting**, with most interpreters specializing in one of these. Each of these specializations will be treated briefly below.

3.1 Legal interpreting

Legal interpreting (also called court interpreting) involves interpretation in legal or quasi-legal settings: in the courtroom during court proceedings; outside the courtroom during attorney-client interviews or during case preparation; at administrative agency hearings; in law enforcement, probation and correctional settings, etc.

Legal interpreting is required when any participant in a legal proceeding does not understand or speak the language in which the proceeding is conducted. Specific legislation, such as the Federal Bilingual Court Interpreters Act of 1978 and the court interpreter legislation currently pending in the New Jersey State Legislature, mandates legal interpretation for non-English-speaking witnesses and parties during certain kinds of court proceedings.

Legal interpreting involves three different modes: consecutive, interpretation, whispered simultaneous interpretation and sight translation. Consecutive interpretation is used in open court, when interpretation is performed for a witness (for the benefit of the court), and in most legal settings outside the courtroom. The consecutive interpretation employed by legal interpreters normally consists of listening to a short span of speech (a phrase, a sentence or several short sen-

tences) and then, during a pause, rendering the thought expressed in that span of speech in the other language. Since complete accuracy of transfer is essential in legal proceedings, the interpreter may have to interrupt the speaker to create a pause if the latter does not stop after a sentence or two. Whispered simultaneous interpretation is not used in open court but rather at counsel table, to keep the non-English-speaking party informed of what witnesses, lawyers and the judge are saying. Interpreters performing simultaneous interpretation speak at virtually the same time as the speaker but, since they are seated at counsel table next to the person requiring interpretation, no electronic equipment is required for transmission of the message: they perform whispered simultaneous. However, in multi-defendant trials, electronic equipment may be used to provide simultaneous interpretation to all interested parties. Finally, in open court or in legal settings outside the courtroom, interpreters may be called upon to sight translate documents pertinent to the proceedings; i.e. they may be required to translate orally the message of a written text.

3.2 Conference interpreting

Conference interpreting involves interpretation in meeting or conference settings. It is required when one or more participants do not understand the language of the meeting or conference.

Conference interpreting, like legal interpreting, involves the modes of consecutive interpretation, simultaneous interpretation and sight translation. However, consecutive interpretation in conference settings involves longer spans of speech: the speaker may talk for five to ten minutes before pausing for interpretation. Consecutive interpretation is now little used in conference settings, where simultaneous interpretation has become the norm. Simultaneous interpretation in conference settings is generally done using electronic equipment, since the interpretation is normally intended for several participants. However, occasionally, whispered simultaneous is used when the total number of participants is limited and only one or two require interpretation. Finally, sight translation of reports, minutes, etc. is commonly called for in conference settings.

3.3 Community interpreting

Community interpreting involves interpretation in community settings: in the doctor's office, in a law office, at the hospital, for visits to schools, at administrative or social service agencies, and the like. It is generally one-to-one interpretation which enables a non-English-speaker to obtain essential services in the community.

Community interpreting consists essentially of consecutive interpretation of short spans of speech (as in legal interpretation) and occasional sight translation.

4. Interpreting Needs

While there is a limited market for conference interpreting in the States, the demand for **legal interpreting** is definitely on the rise with acceptance of the fact that legal interpretation is a fundamental element in the provision of equal access to justice for linguistic minorities (see **Preface**). The need for **community interpreting** is also growing daily with the increase in non-English speakers and limited English speakers in the population.

In addition to specific interpreting opportunities, there are more and more **positions requiring bilingual and bicultural abilities** because of the need to deliver services of all kinds to the growing numbers of linguistic minorities. Students with interpretation training would be ideally suited to fill such positions.

5. Interpreter Education Needs

To meet these ever-expanding needs, interpreter education programs are required. At present, there are only two established interpreter training programs in the United States (at Georgetown University in Washington, D.C. and at the Monterey Institute of International Studies in California), both of which specialize in conference interpreting. **Little, if any, training is available to meet the need for legal interpreters, community interpreters, or bilingual/bicultural support personnel.**

6. Legal Interpreter Education Plan

What is proposed in this document is a **two-level, multiple track educational program in legal interpretation**. At the first level (the undergraduate level), aspiring interpreters will develop bilingual and bicultural abilities while being introduced to the basics of T/I, and practicing legal interpreters will be given the opportunity to improve their qualifications. At the second level (the graduate level), both aspiring and currently practicing interpreters can pursue their education to become fully qualified professional legal interpreters.

7. Career Opportunities for Graduates of Legal Interpreter Education Programs

A number of exciting new career opportunities are open to graduates of legal interpreter education programs. Those who complete **graduate programs** in legal interpretation would be qualified to work as **professional legal interpreters**. Those who complete **undergraduate programs** (pre-professional minors in legal interpretation or interlingual communication) would be qualified to work as **bilingual/bicultural court support professionals, as community interpreters, or in any other positions requiring bilingual/bicultural abilities**. A profile of these careers is presented below.

7.1 Professional legal interpreters

Professional legal interpreters are required "at all stages in any proceeding of a judicial or quasi-judicial nature before any State agency or county or municipal governing body or agency in which a person who is unable to readily understand and communicate in English is a principal party in interest, either as a complainant, defendant, witness or supplicant, or as a parent or juvenile" (Source: A. 2089, Court Interpreter Legislation currently pending in the New Jersey State Legislature).

Thus, professional legal interpreters may be employed in formal legal settings including, but not limited to the following: court proceedings (either Municipal or Superior Court) such as trials, pleas, arraignments, sentence, probation hearings; administrative agency hearings such as Social Security, Immigration, Worker's Compensation, and the like. They may also be employed in less formal, out-of-court situations such as depositions and case preparation.

7.2 Bilingual/bicultural court support professionals

According to the **Final Report of the New Jersey Supreme Court Task Force on Interpreting and Translation Services**, "All support positions which involve substantial contact with limited English proficient clients of the courts shall include sufficient numbers of bilingual personnel to

provide the same level of services to these persons as is available to English-speaking persons" (Source: Proposed Court Rule 1:34-8).

Bilingual court support personnel interact actively with clients as primary agents, supplying information and delivering direct services in English and a second language. Bilingual court support personnel may work in public contact positions or in direct service positions. Public contact personnel, such as court clerks, provide information to limited English and non-English speakers. Direct service personnel work in law enforcement, probation, correctional and other settings. They provide direct services to limited English and non-English speakers as bilingual paralegals, agency employees, lay advocates, mediators, etc.

There are several key differences between legal interpreters and bilingual court support personnel. Court support personnel communicate directly with non-English speakers in the foreign language, whereas legal interpreters act as linguistic mediators between non-English-speaking and English-speaking persons. Since legal interpreters are required to render the messages of others with complete accuracy, linguistic skills are of paramount importance in their work; however, since court support professionals are expected to develop rapport and deliver services cultural sensitivity is of primary importance in their tasks.

7.3 Community interpreters

Community interpreters are required to help limited English and non-English speakers to obtain essential services in the community. They act as linguistic intermediaries for such speakers in all settings other than formal legal or conference settings. They may accompany such speakers to the doctor's office, to the lawyer's office, to the hospital, to various social service agencies, to their children's school, and the like. Community interpreters are normally hired by hospitals, social service agencies, school boards, etc.

These and other careers are now possible for trained, professional bilinguals who have developed the requisite cross-cultural communication skills and knowledge.

II. APPROACH TO LEGAL INTERPRETER EDUCATION

1. Basic Principles of Interpreter Education and Implications for Legal Interpreter Education

The various offerings in legal interpreter education outlined in this document are based upon a series of basic principles presented below.

1.1 Aspiring interpreters should have an excellent mastery of at least two languages to be able to profit from interpreter education, for one cannot transfer a message from one language to another without knowing both languages very well.

Implications for legal interpreter education:

1.1.1 Students wishing to take legal interpretation offerings should be screened to verify their language abilities. This screening can take various forms: testing, language course prerequisites, previous work experience, etc.

1.1.2 A comprehensive professional legal interpretation program should be offered at the graduate level to allow students the time and opportunity at the undergraduate level to fully develop their language skills.

1.1.3 Language-based activities should be built into the earlier stages of legal interpreter education to perfect the students' language skills.

1.1.4 Languages for special purposes (e.g. legal language) should be taught in the framework of legal interpretation programs.

1.2 Aspiring interpreters should have wide general knowledge to be able to profit from interpreter education, for one cannot interpret what one cannot understand.

Implications for legal interpreter education:

1.2.1 A comprehensive professional legal interpretation program should be offered at the graduate level to allow students the time and opportunity at the undergraduate level to develop their general knowledge.

1.2.2 Students wishing to take a legal interpretation program should demonstrate intellectual curiosity, i.e. a constant desire to learn. Intellectual curiosity should be evaluated during the screening process prior to admission in a professional legal interpretation program.

1.2.3 Students wishing to specialize in legal interpretation should take general education requirements or electives in a wide variety of areas at the undergraduate level to acquire general knowledge.

1.2.4 The more specialized knowledge of law required by a legal interpreter should be provided in the framework of a legal interpretation program. Legal content will be presented in a few specific courses and will also be embedded in more advanced T/I courses.

1.3 Aspiring interpreters should possess written language-switching and message transfer skills before acquiring oral language-switching and message transfer skills, for the former form the basis of the latter.

Implications for legal interpreter education:

1.3.1 Since oral language-switching and message transfer skills are similar to written language-switching and message transfer skills, and since the latter are easier to teach systematically, written language-switching and message transfer (i.e. translation) should be incorporated into a legal interpretation program.

1.3.2 Students in a legal interpretation program should take a course in translation before taking an interpretation course, for the former will enable them to develop their language-switching and message transfer skills without the pressure of oral discourse, i.e. without being obliged to keep up with a speaker.

1.4 Aspiring interpreters should be able to interpret general discourse before they can be expected to interpret specialized discourse, for the latter is more difficult since it involves specialized knowledge and terminology.

Implications for legal interpreter education:

1.4.1 A comprehensive professional legal interpretation program must include courses in general interpretation as well as those in legal interpretation.

1.4.2 Students wishing to specialize in legal interpretation should take general interpretation courses prior to their taking legal interpretation courses.

1.5 Since many of the tasks involved in the consecutive interpretation and simultaneous interpretation modes are similar, as are also the skills required to perform them, these basic interpretation tasks and skills may be taught prior to their application to different modes of interpretation.

Implications for legal interpreter education:

1.5.1 The earlier interpretation courses in the legal interpretation program may be skill-based rather than mode-based.

1.5.2 Skill-based courses may work on one language at a time, rather than solely on transfer in the consecutive or simultaneous mode from one language to another.

1.6 Aspiring interpreters must learn to carry out their own documentation and terminology research, for it is impossible to acquire once and for all the specialized knowledge and terminology required for interpretation.

Implications for legal interpreter education:

1.6.1 Documentation and terminology research must be integrated into a legal interpretation program.

1.6.2 It should be presented both as a component by itself and as an integral part of other T/I courses.

1.7 Since interpretation involves the practical application of broad-based knowledge, interpreter education should be practice-oriented in nature and content.

Implications for legal interpreter education:

1.7.1 All T/I courses should emphasize the practical dimensions, and should include a large number of exercises.

1.7.2 An internship should be required of all students at the end of the professional graduate program.

1.7.3 All T/I courses should, ideally, be taught by T/I practitioners.

2. Student Clientele for Legal Interpreter Education

Students wishing to pursue studies in legal interpretation are likely to have very different educational backgrounds, interpreter education needs, and ambitions. These differences must be taken into consideration in any educational plan.

A first distinction must be made between currently **practicing legal interpreters** who may wish to take legal interpreter education and **aspiring interpreters**, i.e. those who are not in the interpretation field as yet but who wish to become interpreters. Practicing interpreters would normally possess the life experience, poise and maturity which help in mastering interpretation. They would have some knowledge of the legal system and situations and vocabulary particular to the court setting. Aspiring interpreters would generally not have the legal knowledge or the professional experience characteristic of practicing legal interpreters. However, neither of these two groups is liable to be homogeneous and further distinctions need to be made within each of them.

Practicing interpreters will vary both in their educational goals and their academic background. Some will be interested only in professional workshops of limited duration. Others will prefer to take formal college courses offering professional development. Still others will aspire to a degree or professional certificate in legal interpretation. Some will already hold a college degree, while others may not. There may also be a difference in level between bilingual court employees providing interpretation services and freelance legal interpreters.

Aspiring interpreters are equally likely to vary in their educational goals and their academic background. Some will be interested in taking only a couple of T/I courses for personal interest. Others may wish to

take a pre-professional minor in legal interpretation or interlingual communication, which would enable them to obtain a position requiring bilingual/bicultural abilities. Still others may be ambitious enough to aspire to a professional graduate program in legal interpretation. Some may already hold an undergraduate degree, while others may not.

These many differences in the student clientele have led to the proposal of a multiple-track educational plan for legal interpreter education, which is outlined below.

3. Multiple-Track Educational Plan for Legal Interpreter Education

In terms of the different student needs, **six types of legal interpretation offerings** can be identified. They range from workshops to courses and to programs; some are given at the undergraduate level, others at the graduate level. Some require legal interpretation experience, others do not. These different types of offerings allow students to pursue interpretation studies in light of their goals, their educational background, and their professional needs.

What is most significant is that these different types of offerings are not isolated one from the other but may merge at various points. Thus, for example, a student who begins by taking two or three professional development courses could proceed to complete a professional graduate program in legal interpretation at some future date.

Presented below are the various types and levels of legal interpreter education, the prerequisites required for each, and the possible transition from one to the other.

(1) Professional Development

Courses for Practicing Interpreters
 Interpreting I
 Introduction to Written Translation

Prerequisites

Practice of legal interpretation

Level

Undergraduate

- * These courses can be taken concurrently with, prior to or after one or more professional development workshops (see 2 below).
- * These courses can be considered equivalent to similar courses given in the framework of the pre-professional minor for legal interpretation (see 4 below) and can thus lead eventually to the minor for those practicing interpreters who do not have a bachelor's degree. In other words, practicing interpreters may begin by taking these courses out of professional interest, may later pick up other courses in the pre-professional minor for legal interpretation and may complete their B.A. requirements through part-time courses and/or through Thomas A. Edison College Portfolio Assessment.
- * Completion of these three courses, followed by success in the selection test required for access to Stage 2 of the graduate program, should qualify those practicing interpreters who have a bachelor's degree for direct admission into Stage 2 of the graduate program (see 6 below).

(2) Professional Development Workshops

e.g. Interpreter ethics
 e.g. Civil and criminal procedure terminology in Spanish

Prerequisites

Practice of legal interpretation

Level

Undergraduate

- * These workshops can be taken concurrently with, prior to or after professional development courses (see 1 above).

- * One or more workshops may be taken.
- * Credits may be granted by a given educational institution or Thomas A. Edison College for a series of workshops following an evaluation procedure. These workshops can thus count towards college credit.

(3) T/I courses in the Pre-Professional Minor for Legal Interpretation

	<u>Prerequisites</u>	<u>Level</u>
Introduction to Interlingual Communication	Vary with each course	Undergraduate
Introduction to Written Translation		
Interpreting I		
Interpreting II		

- * One or more of these T/I courses may be taken as electives by undergraduate students who are not registered in the minor for legal interpretation but are curious about T/I and meet the prerequisites for individual courses.
- * Students who have taken one or more of these courses may later decide to apply for admission to the graduate program in legal interpretation. They will be admitted into Stage 1 of the graduate program (see 5 below) and may be granted exemption from courses previously taken.

(4) Pre-Professional Minor for Legal Interpretation

	<u>Prerequisites</u>	<u>Level</u>
4 T/I courses (see 3 above)	Screening test or prerequisite courses	Undergraduate
+ 1 legal content course		
+ 1 to 3 language, language-related or culture-related courses		

- * The minor can be combined with other university courses to obtain a B.A.
- * Students holding a B.A. with a minor for legal interpretation may be admitted directly into Stage 2 of the graduate program in legal interpretation (see 6 below) if they pass the selection test that precedes this stage.

(5) Stage 1 of the Professional Graduate Program in Legal Interpretation

	<u>Prerequisites</u>	<u>Level</u>
4 T/I courses (see 3 above)	Bachelor's degree plus screening test or prerequisite courses	Graduate

- * Successful completion of this stage and success in the selection test that precedes Stage 2 can lead to specialization in legal interpretation in Stage 2 (see 6 below).

<p>(6) <u>Stage 2 of the Professional Graduate Program in Legal Interpretation</u> 42 credits (T/I courses + legal content courses)</p>	<p><u>Prerequisites</u> Bachelor's degree plus completion of Stage 1 of the graduate program or the minor or the three professional development courses in T/I outlined in 1 above, plus success in selection test</p>	<p><u>Level</u> Graduate</p>
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- * Successful completion of this stage will lead to a graduate certificate, diploma or M.A. in legal interpretation, and will qualify the student for professional work in the field.

The number of tracks leading to the improvement or mastery of legal interpretation skills and knowledge offers many possibilities. However, if all possible options are reviewed here, it is with two goals in mind: (a) to respond to immediate needs as well as long-term needs; and (b) to assure educational institutions that they do not have to adopt an "all or nothing" approach to legal interpretation, that they do not necessarily have to set up a complete 42-credit graduate program in legal interpretation if they do not have the resources available at the moment.

One institution may decide to offer only professional development courses, another only a minor, and so on. In fact, each institution interested in legal interpretation can decide for itself which of the tracks corresponds best to its resources and abilities. What seems important is that institutions launch into this field where there is a real need for education, even if, for the time being, their offerings are very limited.

III. SPECIFIC CURRICULAR RECOMMENDATIONS

The various interpreter education possibilities outlined in the previous section fall into two main categories: (1) **intensive professional development offerings in legal interpretation for practicing interpreters**; and (2) **long-term career development programs in legal interpretation**. Each of these categories and the various options within each will be presented below, with specific recommendations for courses, sequencing of courses, and other curricular elements.

1. Intensive Professional Development Offerings in Legal Interpretation for Practicing Legal Interpreters

These **short-term or short offerings** in legal interpretation would have as their primary objective to meet the **immediate need to train interpreters who are currently working with the Judiciary**. These offerings, which could take various forms, should be designed with the working interpreter in mind (i.e. specific needs, timetable, etc.).

The two major categories of offerings for practicing interpreters would be:

A. Formal college courses

B. Workshops

1.1 Formal college courses

These courses would be set up specifically to improve the quality of interpretation skills of practicing legal interpreters (for a definition of interpretation skills, see I.2.2 above). The exact number and specific content of such interpretation courses should ideally be based upon the extent and type of weaknesses noted in the performance of practicing legal interpreters in a given locale. If no performance appraisal is available, those planning professional development interpretation courses should undertake such an appraisal before setting up the courses. While the number and specific content of such interpretation courses may vary, court transcripts and legal documents should be used as materials for activities wherever possible, since these courses are designed specifically for interpreters who already work in legal settings.

On the basis of the Final Report of the New Jersey Supreme Court Task Force on Interpreter and Translation Services and several background reports of the Task Force, two interpreting courses have been planned specifically to improve the quality of practicing legal interpreters in New Jersey. Tentatively called **Interpreting I for Practicing Legal Interpreters** and **Interpreting II for Practicing Legal Interpreters**, they can be described briefly as follows:

Interpreting I for Practicing Legal Interpreters (3 credits)

Presentation of interpretation and of different modes used in the courtroom. Activities designed to develop oral/aural skills, memory, basic note-taking techniques, public speaking and language-switching skills. Sight translation and consecutive interpretation practice using legal texts. (This is a language-specific course: the language combination chosen will depend on specific needs.)

Interpreting II for Practicing Legal Interpreters (3 credits)

Development of note-taking techniques. Practice of sight translation and consecutive interpretation using more difficult legal texts than in **Interpreting I**. Introduction to simultaneous interpretation. (This is a language-specific course: the language combination chosen will depend on specific needs.)

A 3-credit **written translation course** will also be included since practicing legal interpreters are sometimes called upon to translate documents. It may be described as follows:

Introduction to Written Translation (3 credits)

Presentation of translation principles: units of meaning, types of equivalence. Analysis of texts for the purpose of translation. Practice of translation using different types of texts. (This is a language-specific course: the language combination chosen will depend on specific needs.)

Depending on the specific needs of practicing legal interpreters, other formal courses could be added. Moreover, educational institutions could no doubt find existing courses, such as a course in Spanish dialectology, which would meet particular needs.

1.2 Workshops

By "workshop" is understood any learning experience which is not in the form of a formal college course: it is generally of a shorter duration, more focused in content, and almost invariably intensive in nature.

Workshops designed for the professional development of legal interpreters address specific topics of immediate interest and need to them. Known needs include: knowledge of the legal system, public speaking, voice and diction, contrastive linguistic analysis, discourse analysis, note-taking techniques, code of ethics, and topic-specific terminology. A survey of practicing legal interpreters, such as the one conducted by the New Jersey Administrative Office of the Courts, will identify additional timely areas of interest.

Workshops may be organized by the Judiciary, other government agencies or professional associations on the one hand, and by educational institutions on the other hand. The two groups could also work together. The advantages of having workshops organized either by educational institutions or in collaboration with educational institutions are many: (a) the educational institution's physical facilities (classrooms, language laboratories, etc.) can be made available for the workshop; (b) the educational institution's pedagogical expertise may be useful in setting up the workshop; (c) the educational institution's faculty may be willing to organize or participate in a workshop; (d) the educational institution's prestige may attract more participants; and (e) workshops presented or co-sponsored by educational institutions may be eligible for college credit.

While each workshop may not, individually, be granted credit, a series of workshops (3 or 6) may be considered as the equivalent of a regular three-credit college course, if the content covered in the workshops can be formally tested. The testing and granting of credits may be handled either by the educational institution offering or co-sponsoring the workshops (if appropriate course codes are available) or by Thomas A. Edison State College in Trenton, New Jersey, which serves the needs of the non-traditional adult student who wants to convert knowledge acquired in different settings into college credit and which provides for independent study validated by examination or assessment.

Many practicing interpreters may seek only intensive professional development offerings to improve their skills and knowledge. Others may prefer to pursue studies in this field to gain a professional degree or certificate. The ways in which the professional development option can merge with the career development option has been presented in section II.3 above.

2. Long-term Career Development Programs in Legal Interpretation

In addition to providing special courses and workshops in legal interpretation to meet the immediate needs of practicing legal interpreters, institutions of higher education must plan to meet the long-term needs of the Judiciary by setting up career development programs in legal interpretation at the undergraduate and/or graduate levels.

As indicated in section II.1 above, a professional interpreter education program should be offered at the graduate level. Students at the undergraduate level have generally not yet acquired the excellent language skills or general knowledge required for professional programs in interpretation.

However, the first twelve T/I credits of the graduate program may be offered at the undergraduate level and may be combined with a legal content course (3 credits) and language, language-related or culture-related courses (3 to 9 credits) to constitute an undergraduate pre-professional minor for legal interpretation.

2.1 Pre-professional undergraduate minor for legal interpretation

As its name indicates, the minor for legal interpretation is pre-professional, in that it introduces students to the field of interpretation but does not turn out professional legal interpreters. It is recognized that it takes far more credits than those available for a minor as well as a greater breadth of knowledge and mastery of languages and cultures than those generally found at the undergraduate level to produce professional legal interpreters.

However, such a pre-professional minor can stimulate interest in legal interpretation and convince students to continue on to further graduate studies in the field. Also, while awaiting the full development of a professional graduate program, students can start preparing for it by doing the first 12 T/I credits in the framework of an 18 to 24 credit minor. The establishment of a pre-professional undergraduate minor also allows an educational institution to pave the way for professional level legal interpreter education by beginning with only a limited number of basic courses. All these advantages militate in favor of the establishment of a pre-professional minor for legal interpretation, which may also be called a minor in interlingual communication.

2.1.1 Goal of the minor

The undergraduate minor will provide basic preparation for future professional T/I studies at the graduate level. While the primary interest here is the training of future legal interpreters, the minor also provides a basis for future specializations in legal translation, in medical interpretation or other related areas.

2.1.2 Courses and credits proposed for a minor for legal interpretation

The minor should consist of the following courses:

Introduction to Interlingual Communication	3 credits
Introduction to Written Translation	3 credits
Interpreting I	3 credits
Interpreting II	3 credits
	<hr/>
Total of T/I credits	12 credits

plus

Legal content course	3 credits
Language, language-related, or culture-related courses	3 credits-9 credits
	<hr/>
Total credits for minor	18-24 credits

2.1.3 Description of T/I courses in the minor

The following descriptions are proposed for the 4 T/I courses:

Introduction to Interlingual Communication (3 credits)

(An alternate title for this course would be Introduction to Communication through Translation and Interpretation.)

Presentation of the various factors involved in communication and of the differences between oral and written communication. Introduction to translation and interpretation as processes of interlingual communication: types of translation, modes of interpretation, work of translators and interpreters. Improvement of passive and active skills in A and B languages. Development of oral/aural skills required for interpretation. Simple oral and written language-switching exercises.

Prerequisite: Screening test or specific English and foreign language courses.

Introduction to Written Translation (3 credits)

Analysis of source texts: units of meaning, context, situation. Introduction to types of translation equivalence. Translation exercises using general texts.

Prerequisite or corequisite course: Introduction to Interlingual Communication.

Interpreting I (3 credits)

Presentation of interpretation and of different modes of interpretation used in the courtroom. Activities designed to develop oral/aural skills, memory, basic note-taking techniques, public speaking and language-switching skills. Sight translation and consecutive interpretation practice using general texts.

Prerequisite or corequisite course: Introduction to Written Translation.

Interpreting II (3 credits)

Development of note-taking techniques. Practice of sight translation and consecutive interpretation using more difficult and varied texts than in Interpreting I. Introduction to simultaneous interpretation.

Prerequisite: Interpreting I

2.1.4 Specific recommendations for T/I courses in the minor

Screening

Since T/I studies require special skills and aptitudes, it is important to screen students prior to admitting them even into a pre-Professional minor. The screening can best be done through a special test of written and oral skills in both English and a foreign language. However, if a screening test is impossible, students should at least be required to have taken specific English and foreign language courses prior to admission in the minor.

Sequencing of courses

In T/I studies, certain skills have to be mastered before others can be learned. It is therefore important to sequence the courses carefully and have students following the sequence established. Students in the minor could take one T/I course per semester over four semesters in the following order:

- Semester 1: Introduction to Interlingual Communication
- Semester 2: Introduction to Written Translation
- Semester 3: Interpreting I
- Semester 4: Interpreting II

The legal content course and the language, language-related or culture-related courses that would also form part of the program could be spread out over the four semesters.

However, it would also be possible to divide up the T/I courses over three semesters, as follows:

- Semester 1: Introduction to Interlingual Communication
- Semester 2: Introduction to Written Translation
Interpreting I
- Semester 3: Interpreting II

In this situation, students should be encourage to take at least one additional language course that forms part of the minor in Semester 1.

Languages

All these courses are language-specific, i.e. they deal with the transfer of a message between two specific languages. Thus, educational institutions introducing the minor would be well-advised to determine the language combination they will treat (e.g. English and Spanish or English and French). While it is theoretically possible to have more than

one language combination in a given course or sequence of courses, it is a difficult undertaking at best: the instructor has to be at ease in all language combinations or the course has to be team-taught, with one instructor who is an expert in one language combination and another or others expert in other language combinations and one member of the team acting as master teacher and coordinator.

2.1.5 Legal content course in the minor

No one specific legal content course is recommended at the undergraduate level. The overall purpose of the legal content course is to introduce students to the field of law so that they can decide for themselves if they are interested in becoming legal interpreters in the future.

The legal content course may be chosen from law-related courses already offered by the educational institution. Courses such as the following would be suitable:

- Legal processes and procedures
- Civil litigation
- Criminal law and procedure
- International law
- Judicial process
- Sociology of law
- Criminal justice
- Comparative legal systems

While the minor requires only one legal content course, students should be encouraged to take more as part of their general education requirements and electives.

2.1.6 Language, language-related and culture-related courses in the minor

While it is essential for applicants for the minor to have attained a good level in both English and a foreign language prior to admission (hence the screening test or language prerequisites for admission), further language improvement and sensitization to minority cultures is an essential part of a T/I program.

As in the case of the legal content course, the language, language-related and culture-related course or courses (3 to 9 credits) can be selected from existing courses in departments such as English, Foreign Languages or Linguistics. Courses such as the following would be suitable:

- Advanced English/Foreign Language Composition and Stylistics
- Contemporary English/Foreign Language Grammar
- Structure of English
- Language and Culture
- Sociolinguistics
- Foundations of language

While the list of appropriate courses may be relatively long, students must be carefully counselled in their choice of language course(s), for these units should be used to overcome individual weaknesses as well as reinforce individual strengths.

2.1.7 Strengthening of the minor via general education requirements/electives

Since the minor is only 18 to 24 credits, the general education requirements and electives should be used, where possible, to strengthen areas useful to interpreters. It is suggested that aspiring interpreters choose from courses such as the following:

Philosophy and History:	Introduction to logic World civilization American history Area history (e.g. history of Latin America) Biblical history
Social Sciences:	U.S. economic history Cultural geography American political system Cultural anthropology Minority group studies Ethnography Ethnic politics General sociology General psychology
Natural Sciences:	General science Anatomy or physiology
Communication and Linguistics:	Stylistics Semiotics Pragmatics Applied Linguistics Contrastive Linguistics Intercultural communication Interpersonal communication Oral communication Human information processing

Since aspiring T/I professionals need to acquire a number of special skills, students should, where possible, develop certain skills via general education requirements or electives in areas such as the following:

Courses in this area would develop public speaking skills:

Fine Arts:	Acting Non-verbal communication Speech Public speaking
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Courses in this area would develop the technical skills required for translation and terminology work:

Computer Science:	Introduction to word processing Introduction to computing Database management
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Since a minor of 18-24 credits does not allow many legal content or language and language-related courses, students in the minor should be strongly urged to take further courses of the type proposed in 2.1.5 and 2.1.6 above to broaden their knowledge of law as well as to improve their language skills and linguistic sensitivity.

2.1.8 Majors and Minors recommended for legal interpretation studies

Students taking the pre-Professional minor for legal interpretation with the intention of pursuing a T/I profession are strongly urged to choose an undergraduate major or possibly other minors which would allow them to acquire the background knowledge they need. Programs such as the following offered in New Jersey institutions of higher education are especially suitable:

American Studies	Criminal Justice	Linguistics
International Studies	Legal Studies	Sociology
Liberal Studies	Foreign Languages	Communications
Interdisciplinary Major	English	

2.2 Professional graduate program in legal interpretation

The graduate program may lead to a professional certificate, diploma or an M.A.; the exact title of the final qualification will depend on the administrative and academic structures and requirements of each educational institution. However, whatever the exact title, the professional program in legal interpretation would include a core of 42 credits, preceded by an introductory block of 12 credits, for a maximum total of 54 credits.

The first block of 12 credits, which constitutes the first stage of the program, focuses on the basic skills and techniques required by a T/I professional and provides an overview of T/I professional practice. Since this first block may be taken at the undergraduate level, it is viewed as preparatory in nature. The second block of 42 credits, which constitutes the second stage or core of the program, focuses on the application of the skills and techniques learned in Stage 1 to work in legal translation/interpretation: it involves development of legal knowledge, acquisition of legal language, and practice in the specific types of texts and modes of interpretation used in the legal field.

2.2.1 Admission to Stage 1 of the graduate program

Stage 1 of the graduate program, which consists of the T/I courses that are the core of the undergraduate minor for legal interpretation, is intended for students who have not had the opportunity to take this minor at the undergraduate level. It is essentially a qualifying stage to enable such students to attain, prior to Stage 2, the same level of in-

terpretation skills as that acquired by those who have already taken the minor for legal interpretation.

Admission to Stage 1 of the graduate program would require a bachelor's degree, and a screening test or prerequisite undergraduate courses in English and the foreign language. In other words, admission to Stage 1 of the graduate program may be granted on essentially the same basis as admission to the undergraduate minor, although applicants to the former will also be required to hold a bachelor's degree.

2.2.2 Courses in Stage 1 of the graduate program (12 credits)

The following courses constitute Stage 1 of the program:

Introduction to Interlingual Communication (3 credits)
Introduction to Written Translation (3 credits)
Interpreting I (3 credits)
Interpreting II (3 credits)

2.2.3 Description of courses in Stage 1 of the graduate program

It will be noted that these courses are the same as the T/I courses that form the basis of the pre-professional minor for legal interpretation (see 2.1.2 and 2.1.3). They will, therefore, not be described here.

2.2.4 Sequencing of courses in Stage 1 of the graduate program

Courses in Stage 1 of the graduate program could be offered over three or four semesters (as was proposed for the minor), if the majority of students are enrolled in part-time studies.

The four-semester sequence would be the following:

Semester 1: Introduction to Interlingual Communication
Semester 2: Introduction to Written Translation
Semester 3: Interpreting I
Semester 4: Interpreting II

The three-semester sequence would be the following:

Semester 1: Introduction to Interlingual Communication
Semester 2: Introduction to Written Translation
Interpreting I
Semester 3: Interpreting II

If, however, the program were offered on a full-time basis, all four courses could be offered in one semester. The major problem would be the sequencing of Interpreting I

and Interpreting II: this could be overcome by offering Interpreting I intensively in the first half of the semester and Interpreting II intensively in the second half of the semester.

Yet another possibility would be to offer Stage 1 courses over two semesters as follows:

Semester 1: Introduction to Interlingual Communication
Interpreting I
Semester 2: Introduction to Written Translation
Interpreting II

While, ideally, written translation should be taught prior to interpreting, priority should be given to the correct sequencing of interpreting courses.

2.2.5 Admission to Stage 2 of the graduate program

While both Stage 1 and Stage 2 are obviously necessary to reach the professional level required for graduation at the graduate level, students may take Stage 1 at the undergraduate level, if a pre-professional minor in legal interpretation is offered by one or more educational institutions in the state. Therefore, Stage 2 should be considered as the core of the graduate program.

Admission to Stage 2 will require a special test (which may be called an aptitude test). This test will verify not only English and foreign language skills (through both a written part and an oral part), but also the level of T/I skills acquired in Stage 1 (through testing in written translation, sight translation, short consecutive interpretation and possibly simultaneous interpretation). This test must be considered a selection test, in that it will be used to select those who have mastered the basic skills taught in Stage 1.

2.2.6 Courses in Stage 2 of the graduate program (30 credits)

The following courses constitute Stage 2 of the program:

Public Speaking (3 credits)
Legal Language (3 credits)
Legal Processes and Procedures in the American Legal System (3 credits)
Sight Translation for Legal Interpreters (3 credits)
Legal Documentation and Terminology Research (3 credits)
Comparative Legal Systems (3 credits)
Consecutive Interpretation for Legal Interpreters I (3 credits)
Consecutive Interpretation for Legal Interpreters II (3 credits)
Simultaneous Interpretation for Legal Interpreters I (3 credits)
Simultaneous Interpretation for Legal Interpreters II (3 credits)
Written Translation for Legal Interpreters (3 credits)
Tape Transcription and Translation (3 credits)
Professional Orientation to Legal Interpretation (1 credit)
Internship in Legal Interpretation (5 credits)

2.2.7 Description of courses in Stage 2 of the graduate program

Public Speaking (3 credits)

Development of the effective use of voice: breathing, diction, articulation, stress, rate. Exercises in speech preparation: organization of ideas, levels of language consistent with various types of speaking situations. Practice of speech delivery: audience control, body language.

(This is an essentially practical course in which English and the foreign language will be alternated as much as possible.)

Legal Language (3 credits)

Introduction to the characteristics of legal English: its terminology, its linguistic structures and its social and psychological functions. Comparison with legal language in the foreign language. Analysis of various types of legal discourse in English and the foreign language from the point of view of language.

Legal Processes and Procedures in the American Legal System (3 credits)

Introduction to the hierarchy of the courts, the legal process, the legal system, and the divisions of the law. Presentation of criminal and civil procedure. Exploration of several basic areas of substantive law.

Sight Translation for Legal Interpreters (3 credits)

Practice in sight translating legal, medical and other documents likely to be presented in court: rapid preparation, paced delivery.

Legal Documentation and Terminology Research (3 credits)

Presentation of methods of legal documentation and terminology research. Introduction to the use of a law library, case law, statutory law, legal dictionaries and other sources. Application of the tools and methods to the creation of legal terminology records.

Comparative Legal Systems (3 credits)

Comparison of the American legal system with that of other countries. (If the professional program deals with English-Spanish interpretation, the comparison will be made with other Spanish-speaking countries; if French is the students' foreign language, comparison will be made with French-speaking countries, etc.).

Consecutive Interpretation for Legal Interpreters I (3 credits)

Practice in "short" consecutive (one or two sentences at a time) using court transcripts. Use of basic note-taking for accuracy.

Simultaneous Interpretation for Legal Interpreters I (3 credits)

Practice in simultaneous interpretation using the direct examination and cross-examination sections of court transcripts. Use of basic note-taking for accuracy.

Consecutive Interpretation for Legal Interpreters II (3 credits)

Practice in interpreting increasingly longer spans of speech, using more elaborate note-taking. Use of court transcripts, of depositions, and other legal documents. Preparation for interpretation in various legal settings.

Simultaneous Interpretation for Legal Interpreters II (3 credits)

Practice in simultaneous interpretation using opening statements, expert testimony, closing statements, and jury instructions taken from appropriate sections of court transcripts. Preparation for interpretation in the courts.

Written Translation for Legal Interpretation (3 credits)

Analysis and translation of different types of legal/judicial documents. Use of documentation and terminology research methods for problem-solving.

Tape Transcription and Translation (3 credits)

Introduction to the appropriate equipment for tape transcription. Practice in listening and transcribing recordings of varying quality containing a variety of accents. Translation (written and sight) of transcriptions to demonstrate problems of translating poorly recorded or poorly transcribed tapes.

Professional Orientation to Legal Interpretation (1 credit)

Presentation of characteristics of professional work, interpreter ethics, professional organizations, and professional development activities.

(This course should be taken in the same semester as the internship - see below. It can be offered intensively just before students begin their internship or simultaneously with the internship. The course can alternatively be combined with the internship to form one 6-credit course.)

Internship (5 credits)

15-20 full days or equivalent time as a legal interpreter in settings approved by the internship supervisor, with an attestation of satisfactory performance at each session. Students

will be required to submit a report on their internship experience on completion of the required number of working days.

(This course should be taken in the same semester as the Professional Orientation course - either just after the latter or simultaneously. It can alternatively be combined with the Professional Orientation course to form one 6-credit course. See above.)

2.2.8 Sequencing of courses in Stage 2 of the graduate program

Stage 2 of the program would take 4 semesters of full-time study. The recommended sequencing of courses over the four semesters is the following:

- Semester 1: Public Speaking
Legal Language
Legal Processes and Procedures in the American Legal System
Sight Translation for Legal Interpreters
- Semester 2: Legal Documentation and Terminology Research
Comparative Legal Systems
Consecutive Interpretation for Legal Interpreters I
Simultaneous Interpretation for Legal Interpreters I
- Semester 3: Consecutive Interpretation for Legal Interpreters II
Simultaneous Interpretation for Legal Interpreters II
Written Translation for Legal Interpreters
Tape Transcription and Translation
- Semester 4: Professional Orientation to Legal Interpretation
Internship in Legal Interpretation

If Stage 2 is offered to students on a part-time basis over 8 semesters, the following sequence of courses is recommended:

- Semester 1: Public Speaking
Legal Language
- Semester 2: Legal Processes and Procedures in the American Legal System
Sight Translation for Legal Interpreters
- Semester 3: Legal Documentation and Terminology Research
Comparative Legal Systems
- Semester 4: Written Translation for Legal Interpreters
Tape Transcription and Translation
- Semester 5: Consecutive Interpretation for Legal Interpreters I
Simultaneous Interpretation for Legal Interpreters I
- Semester 6: Consecutive Interpretation for Legal Interpreters II
Simultaneous Interpretation for Legal Interpreters II

**Semester 7: Professional Orientation to Legal Interpretation
(Start of) Internship in Legal Interpretation**

Semester 8: (Completion of) Internship in Legal Interpretation

Even at the rate of two courses per semester, the sequence is very long. Since the development of T/I skills requires continuous and fairly intensive practice, it is recommended that part-time students be required to take no fewer than two courses per semester.

2.2.9 Graduation examination at the end of Stage 2

At the end of the graduate program, following the internship, students must pass a final comprehensive graduation exam before being granted the certificate, diploma or degree in legal interpretation. This exam will be practical in nature and will consist of sight translation, consecutive interpretation, simultaneous interpretation and, possibly, written translation. The texts chosen for the exam will be legal/judicial in nature. The examination will be marked on a pass/fail basis and will be graded by external professional evaluators.

Students who fail this final examination at their first attempt should be given the opportunity to take another examination within a year of the first attempt.

Such a graduation examination, which is characteristic of most professional interpretation programs in the world, will, on the one hand, provide a professional seal of approval for those who pass it, and, on the other hand, replace the thesis that is a final requirement for many graduate programs.

IV. FUTURE DIRECTIONS

While these curricular guidelines have been formulated specifically with legal interpretation in mind, they can also be used as a basis for other specializations in T/I studies: legal translation, medical interpretation, etc. The adaptation of the guidelines to a specialization in legal translation is presented below.

LEGAL TRANSLATION PROGRAM

The first decision to be made is whether legal translation is the sole objective of the program, or whether the aim is to educate students to do legal translation with occasional legal interpretation. This decision is an important one, for while interpretation cannot really be taught without translation, translation can be taught without interpretation per se.

Legal Translation/Interpretation

If the goal is to educate legal translators who are also capable of doing occasional legal interpretation, the changes in the undergraduate program will be relatively limited, as shown below:

Legal Interpretation Minor

Introduction to Interlingual
Introduction to Written Translation
Interpreting I
Interpreting II
plus one legal content course
and foreign language course(s)

Legal Translation/Interpretation Minor

Introduction to Interlingual Communication
Introduction to Interpretation
Written Translation I
Written Translation II
plus one legal content course
and foreign language course(s)

The basic difference between the two minors will be the number of interpretation courses as opposed to translation courses: if the emphasis is on interpretation, there will be two interpreting courses and one translation course; if the emphasis is on translation, there will be two translation courses and one interpreting course.

In the graduate program, and more particularly in Stage 2 of this program (since Stage 1 is the same as the minor), similar changes would be made. Thus, instead of four interpretation courses and one translation course, there would be four translation courses and one interpretation course. Sight translation, which is also a good learning method for translation, would be retained, but tape transcription would be replaced by a course in text revision and public speaking by another legal content course. The proportion of legal content courses would increase as the emphasis on translation (as opposed to interpretation) increased, for a written text contains far more details of legal content than oral discourse on the subject and a translator is expected to understand them all and render them accurately in the other language. Finally, the professional orientation course and the internship would focus more on legal translation than on legal interpretation. The differences between Stage 2 of a graduate program in legal interpretation and Stage 2 of a graduate program in legal translation/interpretation can be seen below:

Graduate Program in Legal Interpretation (Stage 2)

Public Speaking
Legal Language
Legal Processes and Procedures in the American Legal System
Sight Translation for Legal Interpreters
Legal Documentation and Terminology Research
Comparative Legal Systems
Consecutive Interpretation for Legal Interpreters I
Consecutive Interpretation for Legal Interpreters II
Simultaneous Interpretation for Legal Interpreters I
Simultaneous Interpretation for Legal Interpreters II
Written Translation for Legal Interpreters
Tape Transcription and Translation
Professional Orientation to Legal Interpretation
Internship in Legal Interpretation

Graduate Program in Legal Translation/Interpretation (Stage 2)

Legal content course (to be determined)
Legal Language
Legal Processes and Procedures in the American Legal System
Sight Translation for Legal Translators/Interpreters
Legal Documentation and Terminology Research
Comparative Legal Systems
Consecutive Interpretation for Legal Interpreters
Written Translation for Legal Translators I
Written Translation for Legal Translators II
Written Translation for Legal Translators III
Written Translation for Legal Translators IV
Text Revision for Legal Translators
Professional Orientation to Legal Translation/Interpretation
Internship in Legal Translation/Interpretation

Legal Translation

If the programs at the level of the minor and the graduate level were devoted only to legal translation and did not touch interpretation at all, then the interpreting course in the minor and in Stage 1 of the graduate program would be replaced by a course in general documentation and research methods; the interpreting course in Stage 2 of the graduate program would be replaced by a further legal content course; and the professional orientation course and the internship would focus only on legal translation. Programs dealing only with legal translation are outlined below.

Legal Translation Minor (and Stage 1 of the Graduate Program in Legal Translation)

Introduction to Interlingual Communication
General Documentation and Research Methods
Written Translation I
Written Translation II
plus one legal content course and foreign language course(s)

Graduate Program in Legal Translation (Stage 2)

Legal content course (to be determined)
Legal Language
Legal Processes and Procedures in the American Legal System
Sight Translation for Legal Translators
Legal Documentation and Terminology Research
Comparative Legal Systems
Legal content course (to be determined)
Written Translation for Legal Translators I
Written Translation for Legal Translators II
Written Translation for Legal Translators III
Written Translation for Legal Translators IV
Text Revision for Legal Translators
Professional Orientation to Legal Translation
Internship in Legal Translation

Thus, using the curricular guidelines for legal interpretation as a basis, programs could be set up that focus more on legal translation than interpretation or that focus only on legal translation.

The present curricular guidelines show the paths that can be followed. However, like all such guidelines, they only present ideas that must be carefully implemented if the anticipated results are to be obtained. The New Jersey Consortium of Educators in Legal Interpretation and Translation has already begun working on implementation of certain courses and planning for the development of full programs. The success of these efforts will be the ultimate test of these guidelines.

APPENDIX

The following document and letters from the Chancellor of Higher Education of New Jersey, Dr. T. Edward Hollander, and the Assistant Chancellor for Academic Affairs, Dr. Edward D. Goldberg, were sent to all four-year institutions of higher education in the State of New Jersey. These documents served as a catalyst to spark the interest of six New Jersey colleges and universities which are now participating in the New Jersey Project through the New Jersey Consortium of Educators in Legal Interpretation and Translation. The Consortium offers these documents for the consideration of institutions of higher learning.

The ideas contained in the documents are valuable and also at times controversial. The Consortium invites institutions to consider the recommendations which follow in the light of their individual institutional structures.



State of New Jersey

DEPARTMENT OF HIGHER EDUCATION

225 WEST STATE STREET
CN 542
TRENTON, NEW JERSEY 08625

Dear Colleague:

We would like to take this opportunity to call your attention to the Court Interpreter Education Project which is receiving strong support from the Department of Higher Education. The attached letter and enclosures were recently sent to the Presidents of four-year institutions in New Jersey.

For further information regarding this project, please contact Robert C. Holmes at (609) 987-1973.

Sincerely

A handwritten signature in black ink, appearing to read "E. Goldberg", written in a cursive style. The signature is positioned above the typed name and title.

Edward D. Goldberg, Ph.D.
Assistant Chancellor
Academic Affairs

Enclosures



SAMPLE

STATE OF NEW JERSEY
DEPARTMENT OF HIGHER EDUCATION
CN 542

TRENTON, NEW JERSEY 08625

April 10, 1987

OFFICE OF THE CHANCELLOR

Dr. Edward J. Bloustein
President
Rutgers, The State University
New Brunswick, NJ 08903

Dear Ed:

The Department of Higher Education has provided funding to Montclair State College to design and develop model curricular guidelines for offerings in bilingual legal interpreter education. This innovative project has also received funding from diverse sources in the public, private and corporate sectors. The project includes a summer institute for faculty interested in developing such programs at New Jersey colleges and universities.

The bilingual legal interpreter education project is an outgrowth of the recommendations of the New Jersey Supreme Court Task Force on Interpreting and Translation Services. Its Report revealed that there are currently no programs in New Jersey which train legal interpreters to serve the needs of the state's linguistic minorities. The Department of Higher Education is therefore encouraging the development of educational offerings in legal interpretation. Such offerings would provide significant new professional career opportunities for our bilingual populations. These programs also promote equal access to justice for all of New Jersey's residents.

The project's curricular guidelines are being developed for the state of New Jersey by a team of nationally recognized experts in the field. It is the Department's goal to see educational offerings implemented at a minimum of three institutions of higher education in diverse geographic locations throughout the state. Our sense is that the characteristics and support structures of applicant institutions should be consonant with those outlined in Attachment IV. Institutions which substantially meet these prerequisites are invited to express their interest in this project.

From July 6 to August 1, 1987, faculty from selected institutions will participate in a four-week Educators' Pedagogical Institute at Montclair State College. Matriculation and materials fees totaling \$1350 per participant will be awarded as a scholarship to a maximum of fifteen faculty members. Information for applicant institutions follows this letter. The deadline for institutions to apply is May 10, 1987.

Your cooperation and interest in this program are appreciated.

Best regards,

T. Edward Hollander
Chancellor

INSTITUTIONAL APPLICANT INFORMATION

A twofold approach to the planning of educational offerings has been developed under the New Jersey Department of Higher Education Bilingual Legal Interpreter Education Project. There are two categories under which institutions may express interest:

- A. Intensive Professional Development Offerings in Legal Interpretation
- B. Comprehensive Professional Development Program in Legal Interpretation

These categories are fully described in Attachments II and III.

The twofold approach aims at enabling educational institutions to address the pressing need for current training and continuing education in the field. If so desired, institutions may also move toward the development of career options in legal interpretation.

Three key aids will be available to institutions desiring to engage in these offerings:

- First, a blueprint of model curricular guidelines for interpretation education (with a focus on the legal domain).
- Second, essential criteria for institutional support of a legal interpretation program.
- Third, a four-week Institute to be offered from July 6 to August 1, 1987, to provide future faculty with essential help in curriculum, pedagogy and performance assessment in legal interpretation.

A maximum of fifteen faculty members from New Jersey institutions will be selected to attend the Educators' Pedagogical Institute. Department of Higher Education scholarships totaling \$1350 per participant include matriculation and materials fees. Room and board are available to participants at additional cost.

Institutions are encouraged to nominate faculty members to attend the Institute. These scholarships are also available for practicing interpreters from New Jersey who may be potential faculty once a program is developed at an institution.

Should your institution be interested and have the potential resources to implement such a program, a letter of interest should be submitted by May 10, 1987. The letter should include the following:

- (a) Statement of interest.
- (b) Indicia of the presence of institutional prerequisites as outlined in Attachment IV of this document. (These may be submitted in the form of photocopies of official institutional policy statements, publications, etc.)
- (c) Names and Vitae of faculty members nominated to be participants in the 1987 Educators' Pedagogical Institute.

Replies should be addressed to:

Robert C. Holmes
State College Office
New Jersey Department of Higher Education
225 West State Street CN542
Trenton, NJ 08625
(609)987-1980

Attachment I

**Background
and
New Jersey's National Leadership Role**

The *1978 Court Interpreter's Act* (P.L. 95-539), passed by the 95th Congress, acknowledged the critical communicative and linguistic handicap experienced by the non-English speaker or speech and/or hearing impaired litigant that comes into contact with our judicial system. The Legislation mandated the establishment of a certification program to ensure that a corps of professionally qualified interpreters be identified who would be available for work in the federal courts.

The landmark legislation spurred interest in different regulatory and professional aspects of the court interpretation activity. To date, both governmental and professional entities are addressing different regulatory aspects of the interpretation activity. Some fifteen states, county, and city legislative bodies are addressing some form of legislation to establish various kinds of certification, licensing, screening, or classification procedures for selecting the persons allowed to work as court interpreters.

Innovative as it was, the federal legislation failed to address the question of training and education. Consequently, the few and sporadic attempts at providing educational experiences to persons working as court interpreters have come through the concerted efforts of individuals, professional associations, and a few educational institutions in California, Texas, Arizona, Florida, New Jersey, and New York.

These stop-gap efforts have been limited both in scope and in structure and have taken the form of workshops, three-week total immersion-type summer institutes, and isolated courses offered during the academic year. The offerings are essentially experience-based and represent an attempt by the emerging leaders in the court interpretation field to meet, by whatever means possible, the need for upgrading the professional competencies of their colleagues. No comprehensive program of study has emerged; nor have such offerings been based on any structured or sequenced approach in their instructional design.

In response to the need for equal access to justice for New Jersey's linguistic minorities, the Department of Higher Education has embarked upon a nationally innovative and ground-breaking educational planning and implementation program in the field of legal/court interpretation. Need for this type of project was highlighted by the 1985 Report

by the *New Jersey Supreme Court Task Force on Interpreter and Translator Services*, which found that, at present, interpreting and translating services in New Jersey are "uneven, often substandard and severely impede meaningful access to the courts."

As a result, the Department of Higher Education has provided for a major project designed to upgrade the skills of current court interpreters in New Jersey, to educate a cadre of academically trained professional interpreters designed to serve the needs of the state, and to take a national leadership role in the establishment of high quality educational programs for legal interpreters.

This leadership role in legal interpreter training and education is being implemented through a unique joint effort by three units of government: Legislative, Judiciary, and the Department of Higher Education. These offices are attempting to map out solutions for meeting the needs of the Judiciary; to ensure that equal access to the courts is provided to all; and to guarantee that the necessary level of mastery in interpretation is attained by present and future practitioners in order to provide the requisite professional quality of services rendered in the Judiciary.

The New Jersey legislative branch is presently debating the passage of A-1911, a bill which requires the court to provide an interpreter for non-English or speech and/or hearing impaired persons at all stages of any judicial and quasi-judicial proceeding. The bill calls for the establishment of a corps of state-certified court interpreters and provides funding for interpreting services at state and municipal courts. The New Jersey bill also provides funding to help colleges and universities establish educational opportunities in the field. By adding financial teeth to its policy-making mandates, A-1911, if passed, will become the first state law to seriously address educational issues in its policy-making instruments. The implementation of A-1911 will therefore break new ground in the field given the omission of this important aspect by the federal legislation and the state and county regulations on court interpretation practice.

Attachment II

Approaches to Interpretation Curriculum Design

In general, professional programs in translation and interpretation have designs that focus primarily on teaching the different modes and allow for practice until mastery of the skills and techniques within the modes is acquired (See *Professional Definitions* in the *Appendix* of this Attachment). Traditional programs sequence courses from a beginning level to an advanced level and focus on instruction and practice of a particular mode. Thus, a student would take Consecutive Interpretation I as a first course and progress through a series of Consecutive Interpretation II, III, etc. courses with a similar pattern for courses in the other modes.

An alternative model (a task analysis based approach to curriculum design), requires individuals to master basic skills and techniques prior to moving into the different interpretation modes and the bilingual task itself. This approach sequences courses from a perspective that emphasizes the mastery of each essential component pre-requisite skill and/or technique prior to teaching the student any given mode or demanding the mastery of any interlingual translation task. A student following this type of curriculum could be required to take Public Speaking, Intercultural Communications, and Discourse Analysis prior to entering into the interpretation courses per se. These courses, themselves, would also be sequenced to provide prior mastery of certain skills and techniques before the bilingual translation task itself is addressed. In this way, the ability of the student to cope with more complex tasks is optimized since the student is first required to master a number of pre-requisite skills before he is asked to address tasks made that much more complex and difficult by their bilingual and bicultural nature.

This alternative task analysis based approach also provides several advantages to the institution. First, it allows the institution to use existing physical and human resources since the curriculum design relies heavily on a multi-disciplinary and interdisciplinary focus. Second, by allowing for integrated and sequenced instruction based on prior knowledge and/or mastery of basic skills and techniques, it permits an institution to start with short-program type offerings prior to proceeding to more complex and comprehensive programmatic offerings. Since this approach also maximizes the use that an institution can

make of support courses from other departments, it emphasizes the help which a number of disciplines can provide in developing the basic skills needed prior to entering focused interpretation study. In fact, what an institution does is to use existing human and other resources to start what can become a new program through the pooling of a team of existing and new resources by giving optimal use to what is in place and making a minimal commitment to new resources.

Appendix to Attachment II

Professional Definitions

Some key definitions must be considered in any discussion of interpretation. *Translation* is generally used when reference is made to a written text and the term *interpretation* when reference is made to oral discourse and its translation. The term *interpretation* refers to the unrehearsed conversion of a message from one language to another, and, therefore, is used for both spoken and sign language translation. *Simultaneous interpretation* refers to the process of translating and converting a message from one language (the source language) into a second language (the target language) while the message is being delivered.

In the U.S. courts, four methods, or modes, of interpretation are used: *simultaneous interpretation*; *consecutive interpretation*, (which in the U.S. courts consists of a method whereby a question is asked and then interpreted. The reply follows and is then interpreted; interpretation usually follows the completion of a statement or sentence); *sight translation*, a hybrid type of interpretation whereby the interpreter renders in the target language an oral translation of the original document while reading it in another language; and, *summary interpretation*, a precis-type, or condensed translation of what has been said. The term *court interpretation* is generally used to refer both to work in the courts, and to work at any stage of the judicial process. In this document the term *legal interpretation* is used to encompass work in the courts and practice within all aspects of the judiciary.

Attachment III

A Twofold Educational Plan for Legal Education and Training

This project encompasses a twofold approach to the planning of educational offerings. The twofold approach aims at enabling educational institutions to address the pressing current need for training in the field and, if so desired, move towards the development of career options in legal interpretation. Interested institutions can provide immediate offerings to meet the current needs of the Judiciary and, thereafter, provide offerings in continuing education to meet the ongoing needs of the legal system. Institutions may choose to move incrementally toward more comprehensive offerings until a complete career option program of studies in legal interpretation can be offered by the institution. There are two categories under which institutions may express interest:

- A. *Intensive Professional Development Offerings in Legal Interpretation*
- B. *Comprehensive Professional Development Program in Legal Interpretation*

This twofold parallel track approach allows for immediate priority to be given to:

1. developing of educational experiences aimed at upgrading the competencies of present day practitioners;
2. improving the breadth and depth of professional and content (law-related) knowledge required of practitioners;
3. helping practitioners reach the mastery levels required for professional work, thereby improving the quality of services rendered and eliminating any artificial differentiation of mastery levels in federal and state certifications;
4. providing institutions with an opportunity to proceed, within a multiple track structure, toward the development of full-scale professional career programs in legal interpretation; and,
5. allow for the incremental acquisition of teaching experience at the institutional and program level.

A. Intensive Professional Development Offerings in Legal Interpretation

These short-term or short program offerings in legal interpretation have as their primary objective to meet the immediate need of the Judiciary for the training of interpreters who are currently working with the Judiciary. These offerings, in the form of workshops, one-week seminars, colloquia, or summer programs should be designed with the working practitioner in mind.

In order to accommodate the needs of the working interpreter, availability should be provided during the regular school term as part of programs structured to meet the needs of working personnel. During the summer term, availability should be such as not to exceed a week's period, given the limited ability of the Judiciary to free key personnel for prolonged periods of time.

Offerings may be available during the regular academic year, the summer term, or as part of an adult or continuing education program. Offerings provided may cover up to three units of credit. They need not be sequenced or integrated in nature. After an institution has developed concurrent offerings which total up to nine units of credit, the institution may want to consider moving toward a more comprehensive, integrated and sequenced program.

A short-term offering in legal interpretation addresses specific topics of immediate interest to legal interpreters. Known needs are brief survey-type offerings in knowledge of legal system (federal, state, comparative), public speaking, voice and diction, contrastive analysis, discourse analysis, intercultural communication theory, as well as brief specific offerings in terminology studies (bilingual glossaries, topic-specific terminologies such as human anatomy, weaponry, etc.), note-taking techniques, test-taking techniques, processes of word formation, professional orientation, and the sociology of professions. A study presently being conducted by the New Jersey Administrative Office of the Courts will identify additional key areas of direct concern.

As focused educational experiences designed to meet existing needs of the Judiciary, these offerings can and should change from time to time in order to address areas of topical interest to practitioners. Thus, an institution which provides *Intensive Professional Development Offerings in Interpretation* will have an ongoing role in providing essential continuing education for present and future legal interpreters.

B. Comprehensive Professional Development Center in Legal Interpretation

Comprehensive Professional Development Centers in Legal Interpretation recognize and address the need for short-term educational experiences for court/legal interpreters. In addition, centers provide professional career education to persons aspiring to enter the field of legal interpretation. The Center functions both as a provider of intensive professional development offerings and as the developer of a professional career program in legal interpretation.

At the beginning, the Center provides focused offerings in legal interpretation to address the Judiciary's immediate needs for training. After the initial phase ends (during which intensive professional development offerings are provided), the Center then addresses, simultaneously, the development of courses that will be sequenced and integrated so as to provide the bases for gradually more comprehensive and structured educational programs in legal interpretation. These may correspond to structures such as a concentration, a minor, a major, and the Center's ultimate goal, a professional career program in legal interpretation.

Long-term programs are defined as being of two types:

- (1) *pre-professional* programs consisting of sequenced and integrated series of courses at the undergraduate level; and,
- (2) *professional career* programs at the post-baccalaureate level.

The first type of long-term program, *pre-professional programs* offered at the undergraduate level, includes concentrations, minors, and majors. These pre-professional programs aim to provide introductory training in legal concepts, ethnography of communication, intercultural communications, language usage, and other content areas that provide conceptual grounding for interpretation studies.

The second type of long-term program, the *professional career program* in legal interpretation, has as its primary objective to develop a comprehensive, sequenced and integrated series of courses that provide the student with the necessary competencies and mastery of the techniques and research skills required for professional work as an interpreter. Such a program provides, as well, deontological principles and the content-specific (law-related) information needed to work as an interpreter in the legal domain. Because of the scope and complexity of the program, as well as the intellectual maturity required for study in the field, a professional career program is post-baccalaureate

in nature.

Institutions may chose to provide any of the short-term and/or long-term educational offerings outlined hereinabove. The objective of the two-fold, parallel track option is to provide institutions with the opportunity to start with modest offerings which will provide short-term and continuing education experiences in the field, or, if so desired, to work toward the full development of a chosen type of offering and/or program.

Attachment IV

Institutional Prerequisites

Contrary to popular belief, interpreter education is not foreign language centered since the mastery of at least two active languages at near native level of proficiency is a prerequisite for work and/or study in the field. Interpreter education is, by definition, a multi- and inter-disciplinary endeavor which centers around the mastery of communication-based tasks (See *Appendix A* of this Attachment for *Institutional Characteristics*). The humanistic, liberal arts characteristics of interpreter education not only requires this multidisciplinary structure, it also requires a number of institutional support mechanisms to ensure the success of any attempt at developing a program.

Interpreter education is performance oriented; it is practice intensive and requires the dedicated use of classroom space and the constant use of audiovisual equipment. Therefore, such a program requires the backing of a strong audiovisual center and the availability of a media center already designed to provide faculty and students with the strongest support possible. Availability of a small auditorium and the dedicated use of a classroom are minimum physical requirements for any program. (See *Appendix B* for *Institutional Support Structure*).

Successful interpreter training requires the support of university-wide resources, a fact acknowledged by the founder of the first interpretation program at the University of Geneva, Switzerland (Velleman, c.1952). Institutional support includes having strong programs in communications (specifically, programs oriented toward media, speech, and intercultural communications); law related fields (law enforcement, legal studies, criminal justice, political science); anthropology, sociolinguistics, ethnography of communication, and modern language usage (See *Appendix C* for *Sample Courses*). The beneficial flip side of these requirements is that, once the institution acquires teaching experience in legal interpretation, it will already have most of the necessary support structures in place to provide more comprehensive pre-professional minors or professional career programs.

Human Resources Prerequisites

Interpreter education is experience based and as such it requires the use as instructors of professionally certified and experienced practitioners. Teaching of interpretation courses is the purview of professionally experienced legal interpreters.

Existing institutional faculty should supply support expertise in the disciplines required for additional content knowledge: communications, ethnography of communication, language arts, legal concepts, etc.

An institution wishing to offer legal interpretation education should have a hiring and promotion policy (or be willing to allow for such a policy) that will permit professionally certified and experienced practitioners to work as line and/or adjunct faculty members. This implies the acceptance of professional diplomas from university-level professional schools of translation and interpretation as terminal credentials in a manner akin to what is customarily accepted in the fine arts, business administration, and communications field.

Appendix A

Institutional Prerequisites

1. Geography

The institution should have close proximity to major urban centers in order to:

- a. have access to institutions and organizations which require the use of legal interpreters;
- b. have access to the pool of available practitioners in the urban centers who can serve as line or adjunct faculty for the programs instituted;
- c. provide potential students with easy access to institutions offering the desired studies in legal interpretation;
- d. provide for continuous cultural and intellectual exchanges between urban centers and the institutions.

2. Interdisciplinary and Multidisciplinary Commitment of the Institution

The institution should have:

- a. programs that are clearly interdisciplinary in structure;
- b. a problem-centered orientation which encourages students to draw upon learning in different fields;
- c. individual courses, programs of study, academic faculty units, and the institution itself should encourage a multidisciplinary and an interdisciplinary approach to learning as evidenced in the composition, structure and organization of its academic faculty units, schools, departments, or divisions;
- d. an expressed institutional commitment to a multicultural, international dimension of the subjects of study offered, as evidenced in the institution's stated mission, goals and objectives or in its educational plan;
- e. have as a stated objective playing a primary role in innovative ventures; and,
- f. partnerships with schools, colleges, corporations, and communities, as evidenced in on-going internship and/or cooperative education programs.

3. Flexibility of Credit-Granting and Program of Studies Structure

The institution should have flexible credit-granting structures (evidenced by existing variations that make it possible to grant 1, 2, 3, 4 semester units of credit for given course offerings). The institution should also have in place flexible mechanisms for structuring students' major and minor courses of study or concentrations, as evidenced by existing possibilities for a student to structure a highly individualized program of study for his/her undergraduate major/minor field of study and/or concentration.

4. Small Class Size

The institution should have in its publications an expressed commitment to small classroom size or be open to express a willingness to allow for the small class sizes necessary for a performance-based program of study and teaching.

5. Off-Campus Experience

The institution should have a structure for off-campus experience abroad as evidenced by an ongoing domestic and/or international exchange program with other colleges or universities. Such off-campus experiences should be allowed during the regular academic year and/or the summer term. Particularly valuable will be existing exchanges with universities having university-level, four-year Schools of Translation and Interpretation such as the University of Bath, Heriott Watts University, Universidad de Rio Piedras, El Colegio de Mexico, etc., or any such professional exchange program offered by an institution member of the CIUTI*.

6. Structure to Address Needs of Full Time Practitioners

The institution should have in place degree and nondegree granting possibilities as well as non-credit granting program possibilities for full time practitioners.

7. Internships and/or Cooperative Education Programs

The institution should have in place an established practice of internship and/or cooperative education programs that enable students to obtain real life experiences as part of their formal academic work.

---- * Conference de directeurs d'instituts universitaires de traduction et interprétation - Board of Directors of University-level Institutes of Translation and Interpretation.

8. Summer Program Structure

The institution should have an on-going structure for regular summer sessions that could easily integrate into its offerings intensive summer institutes in legal interpretation.

9. Upper Division Structure

The institution should have a four-year structure in order to ensure that the necessary depth and breadth of program offerings in the various support disciplines be regularly offered.

10. Hiring and Promotion of Line and Adjunct Faculty

The institution should have an established commitment to hire and promote as line faculty practitioners who have a terminal degree in their field and/or accepted professional certification of equivalent nature. In addition, the institution should have an equal commitment to hire and promote adjunct faculty who have acceptable professional certification and the necessary experiential record in legal interpretation.

Appendix B

Institutional Support Structures

1. Library Holdings

The institution should have substantial holdings in periodicals, journals, references, dictionaries, and books in the languages in which the program will be offered and be prepared to subscribe on a regular basis to a number of journals, periodicals and reference sources in the field of translation/interpretation, and specifically, legal interpretation. In addition, the institution should be able to provide access to any computer database necessary for legal research. The institution should be willing to increase its holdings in the areas required so as to provide adequate support for the new program.

2. Computer Literacy Center

The institution should have, in place, the mechanisms necessary to ensure that the students will acquire computer literacy in word processing, database management, and the required competence in database searches necessary for research in the legal field.

3. Media, Equipment and Instructional Resource Center

The institution should have as an ongoing practice the use by students and faculty of a media center in order to ensure the frequent and easy use of audiovisual materials for supplementary, complementary, and direct course instruction. The institution should have, in place, an equipment center that serves as direct support for instructional programs. Such a center should have the necessary equipment in video, audio/video recording studio, videotape use, overhead projectors, portable video and audio tape production and playback equipment, rear screen, and other AV equipment services that constitute the backbone of a legal interpretation program. The institution should, therefore, have an established practice for the use of such equipment and materials in classes and allow for the regular use of such equipment and materials for out-of-class assignments. The institution should be willing to provide for the regular use of media technicians as support personnel to the legal interpretation faculty. A distinctive asset will be the availability of video and/or television facilities for production and teaching.

4. Academic Skills Learning Center

The institution should have in place an academic skills center where instruction can be provided in certain aspects of reading, writing, language proficiency, and test-taking strategies.

A legal interpretation program often services a student population that almost by definition is reared and/or educated in other educational cultures. Two characteristics of this population are: first, an acquired bilingualism which may necessitate improvement of certain aspects of reading, writing, and language proficiency not normally taught in regular second language acquisition classes. A second characteristic is the fact that this student population often lacks mass standard-test taking experiences. Given the increasing number of certification examinations and potential licensing examinations that a legal interpreter may have to take, special need exists in providing instruction in test-taking strategies, means of coping with test anxiety, and other aids to persons who are culturally unaccustomed to mass testing.

5. Special and Dedicated Classrooms

The institution should have available a small size auditorium (150+ capacity) for classroom, lecture, and conference use. Essential will be the availability of a dedicated classroom facility that could be adapted to interpretation instructional needs and the use of an unscheduled facility where students and faculty can preview, plan, organize and produce materials for interpretation classes.

6. Lecture Series

The institution should have an existing structure enabling outside lecturers to come to the campus as part of a supplementary professional experience for the students.

Appendix C

Programmatic Prerequisites

In defining the programmatic needs of a professional program in interpretation, Dr. Antoine Velleman, founder of the School of Interpreters of the University of Geneva, Switzerland, outlined the need for such a program to pool from college or university-wide resources. A comprehensive program of study in legal interpretation must therefore base itself upon:

- (a) the within-institution support courses which need to be in place in the institution and which are taught by content specialists; and,
- (b) the within-program specialized courses which must be taught by its own professionally qualified and experienced faculty.

Courses that provide support offerings for a legal interpretation program are characterized by their emphasis:

- (1) on providing a better understanding of cross-cultural perceptions, interpersonal communication, and contrastive or differing world views;
- (2) on enhancing the in-depth understanding and mastery of a given language's structure, usage, stylistics, and socio-cultural idiosyncracies; and,
- (3) on providing a better understanding of the legal concepts and culture that come into play in the federal and state judicial systems.

Support courses, therefore, must stress an intercultural approach, have an interdisciplinary focus, strongly emphasize a communications and socio-anthropological perspective, attempt to enhance the student's mastery of the present-day usage of language as a medium of interpersonal and cross-cultural communication, and provide basic knowledge of the necessary law-related concepts inherent in legal interpretation work.

An institution wishing to implement a program in legal interpretation, therefore, should have in place strong programs in:

- (1) **Communications**, specifically, programs that stress oral and interpersonal communications, the study of discourse analysis, and the nonverbal, cultural, and semiotic aspects of human communication.

Sample communications offerings could be courses such as:

* Principles of Human Communication: in which the following topics are covered: goals of communication, nature of human language and paralanguage, structure of complex

messages, elementary concepts of communication theory, semantics, kinesics, and psychology as related to human communication; problems of human conviction, awareness of self, projection, stereotyping, attitudes, unconscious perception, and nonverbal communication.

* **Non-Verbal Communication**: the effects of space, body language, environment, objects, voice quality, dress, and gesture on communication.

* **Dynamics of Communication**: the meaning of verbal and non-verbal languages and their use as tools for communication.

* **Communication as Process**: oral communication as an interpersonal and dynamic process. Experiences which enhance understanding of and skill in interpersonal communication.

(2) **Speech and Communications, specifically offerings that provide sound grounding in:**

* **Public Speaking**: speaker-listener relationships, use of language, voice projection, non-verbal elements.

* **Debate, Argumentation, and Advocacy**: modes of analysis, refutation, use of evidence, the many types of discussion and debate, relationship between the two genres.

* **Voice Production**: speaking-hearing mechanisms, variable elements of voice, analysis and synthesis of spoken English, bases for contemporary speech standards, practice in developing appropriate vocal delivery for speech messages.

* **Diction and Dialects**: effective breathing and articulation, voice projection, control of pitch, loudness, resonance and tempo.

* **Creative or Impromptu Speaking**: control of stage fright, diction, delivery, voice projection, gestures, grammar, posture and, most importantly, the ability to improvise.

* **Stress and anxiety**: the psychological and physiological components of stress; the effects of stress, methods of managing stress.

(3) **Language Arts, Language Usage and Culture .**

Support courses in this category aim at improving the students' in-depth knowledge of the use of language and the link between culture and language. A representative description of such courses would be offerings in:

* **Contemporary English Grammar**: a review of grammatical terminology and a descriptive survey of the grammar of modern English.

* **Sociolinguistics**: social use of language by different groups, sex differences and social group variation. Selected topics in syntax, semantics, and pragmatics.

* **Philosophy of Language**: meaning, relations between language and the world, between language and the mind, synonymy, the varied use of language.

* **Foundations of Language**: overview of the nature and function of language, aspects of language relating to grammatical and semantic elements.

* **Problems of Hearing**: the human capacity to transform sensory inputs into symbolic vehicles. Meaning examined from different viewpoints such as the genetic-perceptual, semantic space, and behavioristic perspectives.

* **Advanced Composition and Stylistics**: course designed for the student who has native fluency and accent but who needs to develop proficiency in reading and writing.

* **Contrastive Analysis of Language and Culture**: course that examines both verbal/linguistic, non-verbal communication, and the linguistic and cultural characteristics essential to cross-cultural communication and understanding.

* **Semantics**: the communication process: the use of verbal and non-verbal symbols to evoke responses; bias, ambiguity, slanted words, connotation and denotation, objective writing, advertising and the analysis of language for meaning; interaction between culture and language.

* **Language and Culture**: ethnolinguistics, psycholinguistics, and sociolinguistics; linguistic determination, culture as the super-structure of language; linguistic criteria of social membership.

* **Topics in Bilingualism**: bilingualism examined from a societal and psychological perspective; language maintenance; problems encountered by the bilingual person; cognitive and cultural issues in bilingualism.

* **Word power**: The origins of English words derived from Greek and Latin elements as a means of building recognition vocabulary in English; loan words, how to coin words, shifts of meaning across time.

* **Discourse Analysis**

(4) **Foreign language courses**: taught in the foreign language and with a focus on increasing in-depth knowledge of culture and mores, stylistics, contrastive analysis, and semantics of the language.

(5) Law-Related Courses such as:

- * Introduction to the Criminal Justice System
- * Comparative Criminal Justice: comparative penal and criminal procedure law; cultural factors; sentencing; civil vs. common law.
- * Criminal Procedure: Theory to Practical Application: the study of the 4th, 5th and 6th Amendments.
- * Evidence
- * Sociology of Law
- * Law, Language and Literature: legal literature, the elements that bind literature and law, characteristics of legal language.
- * Law in Different Cultures: cultural approaches to legal systems.
- * International Law: human rights, extradition.
- * Comparative Governments
- * Overview of Civil Practice: landlord/tenant; domestic relations; probate; personal injury; medical malpractice; juvenile rights.

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