

9. TRANSLATION OF DOCUMENTS

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A. Pilot Translation Project

In 1997, the Minnesota Court Interpreter Program began working with the University of Minnesota Translation Laboratory on a pilot project to translate select legal forms and law-related documents into foreign languages frequently encountered in the state court system.

The following languages were chosen for translation in the pilot project:

- (1) Spanish
- (2) Vietnamese
- (3) Hmong
- (4) Cambodian
- (5) Lao
- (6) Russian

Priority was given to:

- (1) Forms produced by the Conference of Chief Judges' Uniform Forms Committee
- (2) Documents that use layman's terminology, produced by the Pro Se Forms Committee
- (3) Forms used in criminal matters
- (4) Forms that are to be filled out by the litigants themselves
- (5) Forms that do not include open ended questions
- (6) Documents that are not exclusively specific to a particular county or location
- (7) Informational brochures and fact sheets that address legal issues frequently faced by non-English speakers

Documents selected for the initial pilot project include:

- (1) Six "FACT SHEETS" (14 pages) published by the Community Legal Education Program of the Legal Aid Society of Minneapolis.
- (2) Two informational pamphlets produced by the Minnesota Conference of Chief Judges:
 - (a) "Getting An Order For Protection" (5 pages)
 - (b) "Getting A Harassment Restraining Order" (1 page)
- (3) Six "Statement Of Rights" forms produced by the Conference of Chief Judges (7 pages).

The translated documents will be distributed for use in the judicial districts during the later half of 1999.

B. Translation as a Specialized Discipline, by Dr. Lawrence Bogoslaw, Director, Minnesota Translation Laboratory

The process of translation requires far more than linguistic proficiency in two languages. It requires a fine-tuned sense of how words call up specific concepts and cultural connotations in each language. In addition, a translator must understand how concepts in one language match up (or *do not* match up!) to concepts in another language. For example, in English the same word (“Dear”) can be used to begin most correspondence, formal or informal. In Russian, however, different words must be used: **Dorogoi** (“Dear”) for informal letters, but **Uvazhaemyi** (“Esteemed”) for formal documents.

Furthermore, the process of translation typically demands close attention to large bodies of written text. This factor distinguishes it from interpreting, which requires one to focus on relatively short stretches of speech (one to three phrases) at a time, apprehend their sense in a flash, and to render their sense coherently. While translation tends to involve less pressure and “thinking on one’s feet” than interpreting, the standards of quality are more exacting. For example, a translator must be sure to use the same word or phrase throughout a text to express a given term. For this reason, it is often desirable to have two or more translators work on the same document, to ensure both accuracy and consistency. The task of layout and visual presentation is another sphere in which translators must exercise special care: are the same words or phrases highlighted in the target language as in the source language? Are paragraphs grouped similarly? Do the margins and font sizes parallel those of the original document?

In short, good translations are the product of a multi-state process of sensitive cross-cultural analysis, painstaking drafting and editing, careful research and consultation, and keen-eyed layout work.

C. TRANSLATING vs. INTERPRETING

(Source: Lynn Visson. From Russian into English – An Introduction to Simultaneous Interpretation. Ardis Publishers, 1991.)

Translating	Interpreting
1. The text was produced at some time in the past.	1. The utterance is in process here and now.
2. The text is therefore a finished product; it is static, unalterable.	2. The utterance is still being developed; it is in a dynamic state and its continuation largely unpredictable.
3. The text can be examined back and forth, put aside and reexamined.	3. The utterance undergoes “rapid fading” except insofar as the interpreter can remember it.
4. The text is virtually all verbal...nor does the translator witness the circumstances in which it was composed.	4. The verbal utterance is enriched with gesture and other forms of body language, and the interpreter is in immediate contact with the circumstances and surroundings in which it is being delivered.
5. The majority of texts are the product of a single author, the translator then “interlocks” his thinking and his writing style with those of one author at a time.	5. The interpreter has to “interlock” with several people in the same meeting, often with rapid switches between them.
6. Because of its author’s remoteness, even an emotional text rarely has the impact of a speech on its audience or on its translator.	6. The interpreter is not merely aware of the tension and excitements of a meeting; he is often <i>subject</i> to them.
7. Translations can be drafted, revised, criticized and edited before publication.	7. The interpreter must get his version right the first time.
8. The translator may be as remote from his readers as from his author...He does not know as a rule who his readers are. Author and reader are not in touch with one another except through the text and its translation. The separation is in time as well as in space, and it may be a wide one.	8. The interpretation is addressed to a known group of listeners... Speaker and listener are participants in the same meeting, in the same room at the same time.

