

What did you say again?

Courtroom Techniques

By Ratib Habbal

Many attorneys use foreign language interpreters to help in communicating with respondents who don't know English. One would assume that the only way to evaluate an interpreter's skill is to know the foreign language in question.

But there are seven tell-tale signs for when a new interpreter, who does his job more professionally, must be sought.

1. Interpreter uses the third person instead of the first person when translating respondent's comments

When an interpreter uses the third person, it could be as, "He said: I don't understand." Here, it is not clear if the interpreter is translating the words "he said," or the interpreter is adding this on to indicate that the male respondent said something.

Another common phrase is when the foreign language respondent says, "I don't understand," and the interpreter translates it as, "He says that he does not understand" Here, the interpreter is explaining instead of translating.

2. Interpreter says something and it is not clear if they are translating or speaking from themselves.

Any non-translated comment should be prefaced with, "The interpreter states that ..." This helps preserve the integrity of the record and makes the court reporter's job easier.

If the respondent mumbles anything in his foreign language, such as, "Man, these are hard questions," the interpreter should be translating the sentence as soon as it's heard. This extends to sarcastic whips, complaints, or even cursing. If any foreign words come out of the respondent's mouth, and not interpreted, people are left to wonder what was said.

3. After the respondent says a long sentence in the foreign language, the interpreter translates it as only three words in English.

Here, the interpreter has most likely summarized the comments of the respondent and cut out what the interpreter "feels" is not important. The interpreter's job is to translate, and not arbitrarily edit what he feels is or isn't important.

If the respondent says, "I went to the store first, I mean, I went home first," then that is exactly what should be translated, instead of a summary offered, such as, "I went home first."

For you as the questioning attorney, this slip-up of the tongue by the respondent could be an important key to your next question. This also goes the other way; if the interpreter translated your simple question by talking twice the length of time that you spoke, this raises a red flag on whether your question is being translated, or whether the interpreter is explaining something beyond the question to "help" the respondent.



**Top signs
that you need
to look for a better
foreign language
interpreter**

**An inadequate
interpreter can slow
the communication,
hinder the proceeding,
and reflect badly on all
those involved.**

Granted, foreign languages are sometimes wordier than English, and there should be an allowance for a slightly longer translation. But if the interpreter does translate a sentence much longer than the original, he should follow it up by saying something to the effect of, "The interpreter (speaking of himself in the third person) needed to expand on (the English word) because it is not found in the foreign language."

4. When the interpreter speaks the foreign language, there is a confused look on the respondent's face.

Keeping an eye on the respondent's face is a good indicator of the quality of communication. If the respondent looks confused,

either the translation did not make sense or the interpreter's dialect was not understood.

In most foreign cultures, the state of confusion is conveyed via a facial expression, as opposed to verbally saying that he or she is confused. Body language speaks loudly.

5. Too many "Umms."

Many amateur interpreters muddle their way through interpreting by saying fillers for words they don't know how to translate. You can't count on the respondents to complain; they are usually so

See "Interpret," page 27