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Need for court interpreters on rise

Specialized UA training efforts also expand to meet surging demand

By Claire Conrad

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The growing number of Arizonans who don't speak English has increased the demand for court interpreters to ensure equal access to the legal system and social services.

"The need for interpreters is growing exponentially because the demographics are changing exponentially," said Roseann Gonzalez, director of the National Center for Interpretation and the Agnese Haury Institute for Interpretation. "The growth of Latinos has been just tremendously high."

The 2000 U.S. census found that 25.3 percent of Arizona's population is Hispanic and 25.9 percent spoke a language other than English at home, with 75.4 percent of those speaking Spanish.

Of those who reported speaking a language other than English at home, 23.5 percent reported speaking English "not well" or "not at all," according to the 2000 census.

Dozens of initial appearances

Joyce Garcia is one of seven full-time Spanish interpreters at the U.S. District Court of Arizona. She has worked there since 1985 and over time has seen a growing number of cases requiring translation and interpretation.

Years ago, Garcia recalls that they would call for extra interpreters when there were more than 10 initial appearances in an afternoon.

Now, on an average Monday, with arrests made over the weekend, there are anywhere from 60 to 90 initial appearances. A weekday might see anywhere from 30 to 50 initial appearances, Garcia said.

The team of U.S. District Court of Arizona interpreters will translate an estimated 200 to 300 documents in a three-month period and provide interpretation for several thousand hearings between Tucson, Phoenix and Yuma, Garcia estimates.

"Any city that's not a border city isn't going to have that kind of volume that we do," Garcia said.

At Pima County Superior Court, there are four full-time interpreters. The number of cases requiring interpretation services has increased over the last few years as well.

In 2004, 519 criminal cases in the Superior Court required translation or interpretation. As of Nov. 15, 2007, there were 1,028 open criminal cases needing translation or interpretation.

Translation required

Federal law requires that people with limited English proficiency have the right to a competent translator or interpreter for legal proceedings.

Executive Order 13166, signed by President Bill Clinton in 2000, states that any federal agency must work to provide meaningful access to services for people with limited English proficiency. Federal access must be provided so as to not discriminate by national origin, as stipulated in Title VI of the Civil Rights Act of 1964.

The executive order, however, did not come with any funding, said Gonzalez, the national interpretation center director.

The Court Interpreters Act of 1978 states that interpreters in U.S. courts must be proficient in the language they are translating. The act was intended to stop courts from using any person who spoke the language to interpret. Before the act, courts used janitors, family members or people who did not have the competency needed to accurately translate, Gonzalez said.

"If someone's life and liberty are at stake, you want to have the most accurate translation possible," Gonzalez said.

Using a person who is not trained in interpretation and translation can lead to ethical problems, Gonzalez said. Untrained interpreters may add or omit meaning while interpreting.

"We don't have an opinion; we don't participate; we simply say what the other person says," Garcia said. "And that's ethically our responsibility."

In addition to being certified, court interpreters must know a wide range of language, everything from university-level diction to street-level slang.

To fill the growing need for legal interpreters, several prominent training programs in the Tucson area prepare people for the federal certification exam.

The Agnese Haury Institute for Interpretation in Tucson offers intensive training sessions in interpretation and translation.

UA program one of 2

The University of Arizona is one of two in the United States that offers a major in Spanish translation and interpretation, Gonzalez said.

"This is the only program of its kind that is as complete as it is, providing degrees in medical and legal translation and interpretation," said Jaime Fatas, an assistant professor of practice in Spanish translation and interpretation at the UA.

Fatas has seen the enrollment in the major double from its initial class of about 45 students in the fall of 2006 to about 100 in the fall of 2007. Alejandra Torres, a junior majoring in Spanish translation and interpretation as well as Spanish literature, hopes to one day become a federal interpreter.

"I really like it, and I like to help my people," Torres said. "With my help, a lot of people are going to be better served, and they're really going to receive the service that English speakers are getting."

To increase the number of students in the field, a program directed at high school and middle-school students called "Preparación" aims to introduce translation and interpretation lessons at a younger age.

The program is being introduced in the Tucson Unified, Sunnyside Unified and Amphitheater Public Schools districts this year.

Instead of "wring(ing) the other language out of them," the program seeks to use the Spanish-language skills of students to fill a work-force need, Gonzalez said.

Real-world experience

Students who are already studying translation and interpretation are gaining real-world practice in the profession.

Collaborations with the UA's James E. Rogers College of Law allow translation and interpretation students to work with law students on legal translations for a free domestic-violence law clinic, said Zelda Harris, clinical professor of law and director of the clinic.

"We had to have language interpreters, and we always have had language interpreters, but never as a part of a formal program where they were actually people that were going into training to become professional interpreters for the court," Harris said.

A "large minority" of those who use the clinic require language services, Harris said.

Since the translation and interpretation students began working with the clinic, the quality of translation has improved, Harris said.

Accurate and complete translation is essential in the courts.

"If you want to protect and preserve due process, meaning fairness in communication, you need professional communicators," Fatas said. "When you have professional communicators, everybody wins."

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