

Maryland Interpreter



The Maryland Court Interpreter Program is committed to providing the Maryland Judiciary with highly qualified and trained interpreters to ensure equal access to justice to all limited English proficiency individuals who seek it.

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Advanced Spanish Skills Building Workshop

The Maryland Court Interpreter Program has been conducting its Advanced Spanish Skills Building Workshop since 2002. The primary objective of these sessions is to provide instruction to candidates who have good basic language and interpreting skills but wish to improve their professional skills prior to taking the state Spanish certification examination.

Topics cover various aspects important to working court interpreters including **law, ethics, protocol, specialized vocabulary, retention, note-taking skills, self-instruction techniques, forensics, and regional distinctions in Spanish**, and many others.

The first day of the 2008 Spanish Skills Building workshop was held Saturday, Oct. 5.

Javier A. Soler, the Mary-

land court interpreter administrator and a federal court certified interpreter in Spanish led a team of highly qualified practicing interpreters. You may already know them from our previous workshops:

Marta S. Goldstein

is a recognized expert in the field of court interpreting as well as a federal court certified Spanish interpreter. Marta Goldstein has years of experience as a state and more than 15 years as a federal court interpreter. She is also a certified lead rater for the National Center for State Courts for court interpreting oral exam candidates.

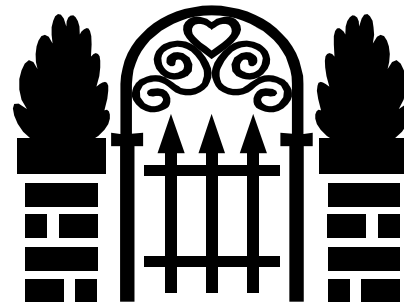
Martha Gutierrez Shepard is a federal court certified Spanish interpreter. She holds a master's degree in bilingual

legal interpreting from the College of Charleston and currently works as a staff interpreter at the Superior Court of the District of Columbia.

The first half of the day was devoted to general introduction and overview of the Maryland court System. Here are some highlights of this part of the workshop:

- **Introduction to the Law.** Arraignments, case flow, criminal/civil/juvenile. District vs. Circuit. Pre-

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News and Announcements

We are pleased to introduce Ksenia Boitsova, who has recently joined our staff as the Maryland Court Interpreter Program specialist. Boitsova is originally from St. Petersburg, Russia. Her experience covers various aspects of the interpreting field. She has been a freelance English-Russian

interpreter since 1994. She worked as an interpreter quality assurance manager for Berlitz GlobalNet from 1994 to 2001. Boitsova brings broad knowledge of the interpretation profession and skills to the Maryland Court Interpreter Program. One of her first projects is launching *The Maryland Interpreter*, a

bimonthly newsletter to serve as a forum to exchange ideas and information for Maryland interpreters. We wish Ksenia all the best success in her new endeavor.

By Javier A. Soler, Maryland Court Interpreter Program Administrator

Advanced Spanish Skills Building Workshop

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sented by Martha Gutierrez Shepard

- **The Role of the Interpreter.** Courtroom layout, proper ways of addressing parties, courtroom etiquette, role and functions of the interpreter in relation to the parties in the court. Presented by Javier A. Soler

Since memorization of legal terminology is essential to success as a court interpreter, students received extensive vocabulary lists in English and Spanish for further home study.

In the afternoon, small group practice sessions took place in simultaneous, consecutive, and sight translation. Students spent significant time practicing their interpreting skills. Here are a few helpful tips provided by their instructors:

“You must have a computer and access to the Internet in order to succeed as an interpreter today. It is necessary for interpreters to compile and maintain their own glossaries and have easy access to them.” (Marta Goldstein)

“Always scan and examine a document **before** performing a sight translation to determine the subject matter and identify key words. Do not rush, and try to maintain a steady pace when sight



translating.” (Martha Gutierrez Shepard)

“When it comes to note-taking during consecutive interpretation, try to keep your notes to a minimum. Concentrate on visualization and understanding of the idea rather than on the actual process of note-taking.” (Javier A. Soler)

Overall, the first session of the Spanish Skills Building Workshop proved to be informational and engaging, and encouraged students to study ahead in their preparation for the next session in November.

Featured Language - Palauan

The staff of the Maryland Court Interpreter Program was recently asked to assist in finding a speaker of a rare language—Palauan. The search for a qualified Palauan speaker, who would also possess sufficient English fluency presented a challenge when we found out that this language is spoken by a small group of just several thousand people.

The country of Palau is a cluster of tiny islands south east of the Philip-

ines. It is slightly more than 2.5 times the size of Washington DC. Its population is 21,093. It entered the Compact of Free Association with the US in 1994, which secured financial assistance to Palau in return for furnishing military facilities. The main source of income is tourism.

After an extensive search, we were able to secure a highly qualified Palauan

“We may have different regions,
different languages, different colors of
skin, but we all belong to one human
race.”

- Kofi Annan

interpreter, Palauan Ambassador, Hersey Kyoto, who was kind enough to offer his services as an official

interpreter for the case.

If you would like to find out more information about Palau, please visit the Palauan embassy site at: www.palauanembassy.com

Diversity Fair

The Judiciary held its Diversity Fair on Sept. 25, at the Judicial Education and Conference Center in Annapolis. The event featured entertainment, presentations, and exhibits that shared culture, artifacts, hobbies, history, and food from around the world.

This year’s event was organized by the Diversity Fair Committee. Booths included the culture and food of African-

American traditions, India, Ireland, Italy, Midwest America, South America, and Puerto Rico.

Under the guidance of Javier Soler, the Program Services Office presented delicious food from Soler’s native country of Puerto Rico. Visitors feasted on *arroz con habichuelas* (literally “rice and beans”) and *sancocho*, a savory, fragrant soup with a base made of sofrito. They treated themselves to *dulce de coco*,



pina colada cake and lemon meringues for dessert. Informational booklets and travel guides about Puerto-Rico were available for visitors to peruse.

The soundtrack featuring the beautiful sounds of coqui, a small frog, native to Puerto-Rico and adored by its people, accompanied the presentation.

Legal Terminology in Review

Today we are going to review the term **tort**. No, it's not a cake. A tort is an act that injures someone in some way and for which the injured person may sue the wrongdoer for damages. Legally, torts are called civil wrongs; however, they cover negligence, intentional torts, and strict liability torts.

For instance, a server in a restaurant accidentally spills hot coffee on a customer, which results in a bad burn. The customer may sue the server for losses caused by the accident. He will have to prove to the court that the server engaged in tortuous conduct by failing to exercise care when serving coffee. If the server spilled the coffee on purpose, the customer could sue for intentional tort. If it was an accident, the customer must establish negligence tort. To do this, the customer must prove that the server should have foreseen the accident and failed to exercise the standard of care required of him. Determining the "standard of care" is a popular concept in tort law, which studies whether conduct is or is not tortuous and whether a person inflicted his own injury or the blame gets transferred to somebody else.

In tort law, injury does not mean a

physical injury only, but covers a wide range of individual interests. This includes property rights, nuisance, trespass, conversion and trespass to chattels.

Defamation or tarnishing someone's reputation, privacy rights, and infliction are torts that protect such interests as freedom from emotional distress, privacy interests, and reputation. Intentional tort of false imprisonment, malicious prosecution or abuse of process are often classified as dignitary torts.

The defendant in a tort case is sometimes called a tort-feasor, the person who commits the tort. In our case, it is the server who spilled the coffee on a customer.

Because a tort is a civil wrong, the main remedy against tortuous loss is compensation in 'damages' or money. In case of a continuing tort, the courts will sometimes grant an injunction, in the form of a restraining order. Many jurisdictions retain punitive elements in tort damages, for example in anti-trust and consumer-related torts.

These are situations when torts may be

considered criminal acts. In situations when the defendant ignores the orders of the court, a plaintiff can obtain a punitive remedy against the defendant, such as imprisonment.

In the United States, tort reform has become a contentious political issue. Reform advocates have proposed, among other things, limiting the number of claims, and capping the awards of damages.

The Maryland Tort Reform Coalition is one of many groups who has battled various attempts by trial lawyers to weaken the state's strong tort protection laws. The Coalition which includes many prominent businesses and medical establishments, advocates making tort rules even more restrictive in the state through additional reforms. This has become a particularly sensitive issue in the medical malpractice arena, where it has been argued that the high costs of compensation awards are passed through to health care consumers. However, the Coalition for Patients Rights in the state of Maryland strongly advocates patients' rights to legal redress and fair and just compensation, and calls for health care and medical insurance reform rather than 'tort reform'.



Wireless Equipment

One of the duties of the court interpreter is to provide full and complete interpretation of all direct and indirect communication in court proceedings. To achieve this, simultaneous interpretation is often used, especially when the proceeding is taking place in English and needs to be interpreted for the benefit of limited English proficiency individuals. Additionally, simultaneous interpretation saves time and permits proceedings to go undisturbed by the interpretation process.

The staff of the Maryland Court Interpreter Program would like to remind all the interpreters who work in

Maryland courts to use wireless equipment whenever they interpret simultaneously. You can obtain wireless equipment from the court interpreter coordinator. If this is the first time you are using the simultaneous equipment, please alert the court staff so you can be provided with operation instructions. Here are a few tips for you to remember when handling the equipment:

- Make sure the transmitter and receiver are programmed for the same channel.
- Make sure the batteries are fully



charged in both units.

- Keep in mind that your microphone is very sensitive and, even if covered, will transmit all sounds, including those that you don't intend to be transmitted. Please turn the **Mute** button **on** when not using the transmitter.
- Please handle the equipment with care and return it to your coordinator when finished.

For more information or to sign up for our ongoing simultaneous equipment training, please e-mail Ksenia A. Boitsova at ksenia.boitsova@mdcourts.gov

Interpreting in Juvenile Courts

By Alexandra Wirth

Although interpreters in the juvenile court system use the same basic skills as their colleagues working in the adult courts, juvenile court proceedings have unique characteristics that interpreters need to be aware of to be successful in this setting. For instance, in most modern legal systems, crimes committed by children and minors are treated differently from the same crimes committed by adults. In the juvenile court, the rehabilitation of the individual is the primary focus. Court interpreters working in the adult courts might face a broader spectrum of cases on a daily basis, but, because of the complex relationship and the age of some of those involved, interpreters working in the juvenile courts usually deal with highly emotional issues on a more regular basis. Of course, court interpreters must demonstrate the same level of competence and professionalism no matter where they interpret. This article presents an overview of interpreting within the juvenile courts.

A juvenile court is generally defined as a court with jurisdiction over all cases involving children under a specified age, usually 18 years old. Cases within juvenile court are divided into two major categories: 1) child protection cases where issues such as child abuse and neglect are resolved; and 2) juvenile justice cases dealing with delinquent acts committed by minors. In both cases, the focus of the proceeding is to provide supervision over services for the child in order to return the child to law-abiding behavior or to correct the condition that places the child's health and welfare in danger. Despite the confidential nature of juvenile proceedings, court interpreters have the right to review case files prior to commencing any interpreting assignment.

In general, child protection cases require the appearance of several participants. Among the parties involved are the minor's parents or guardians,

the parents' attorney, a guardian *ad litem* (not a legal guardian but a person appointed by the juvenile court), a social worker or a representative from a child protection agency, the foster parents, and a state attorney. The court interpreter must have a very clear understanding of each participant's role. In addition to temporary custody hearings, interpreters working in the juvenile court system will also render their services at permanency hearings. A plan for family reunification and/or adoption may be proposed at a permanency hearing. Moreover, court interpreters in the juvenile court system often work on cases involving the termination of parental rights. A termination of parental rights decree has often been described by experts in the juvenile law as the imposition of a "civil death penalty." Hence, working in a termination of parental rights trial can be exceptionally demanding and emotionally draining for interpreters because of the finality of its consequences.

The second category of cases heard in juvenile court involves minors who commit illegal acts. Under this category we find juveniles charged with crimes similar to those tried in the adult courts. When a minor commits a delinquent act, the state attorney usually files a petition alleging that a minor has committed a delinquent act. Although delinquency cases are similar in their nature to their counterparts in the adult court system, different terminology is used to refer to some of the same concepts:

Adult Court	Juvenile Court
Arrest	Take into custody, apprehend
Warrant	Capias (<i>Editor: not applicable in Maryland</i>)
Probation	Supervision
Plea of not guilty	Deny the (facts of) petition
Plea of guilty	Admit to the (facts of) petition
Misdemeanor, Felony	Delinquent act
Sentencing	Disposition

(*Editor: in Maryland juvenile courts, trials are 'adjudicatory hearings', juveniles are "adjudicated delinquent" instead of convicted, and, while adult offenders are known as criminal defendants, juvenile offenders are referred as "respondents."*)

To conclude, court interpreters working in the juvenile court system must understand the importance of the issues being tried in these courts. They must understand the concepts underlying juvenile cases because they differ from those found in the adult courts. There is the mistaken perception that juvenile court cases are not as serious as those tried in the adult courts, causing the inexperienced interpreter to think that interpreting in juvenile court is easy. Any interpreter who is considering interpreting in the juvenile courts should take into account the differences outlined in this article before accepting an assignment in this setting.

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Alexandra Wirth has been a freelance English-Spanish interpreter and translator since 1993, specializing in the legal field. She has a master's degree in applied linguistics and a Bachelor's degree in public relations from the University of Wisconsin-Milwaukee. She is certified as a court interpreter by the Wisconsin State Courts Office, and has worked as a court interpreter in criminal, juvenile, and federal courts for the past eight years. She is also a faculty member of the Wisconsin Supreme Court Orientation Program for Court Interpreters, and has taught court interpreting at Milwaukee Area Technical College. Contact: alexawirth@yahoo.com

Newsletter

Maryland Court Interpreter Program Administrative Office of the Courts

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