

Revelations of a Case Style in a Vehicular Accident Lawsuit

By Josef F. Buenker and Diane E. Teichman

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Whether interpreting at a court proceeding, deposition, or sworn statement, judicial interpreters benefit from knowing as much as they can about an assignment and the type of matter in which they are interpreting. If the interpreter is familiar with legal procedures, parties, and the different types of potential witnesses commonly found in a lawsuit, he or she will have a much easier time performing the assignment. Knowing the role of each participant in the lawsuit, that party's interests in the lawsuit, and the potential lines of questioning will allow the interpreter to focus on the job at hand and alleviate some of the potential stress of encountering unexpected vocabulary or unfamiliar participants. All too often, interpreters are not provided with information about the lawsuit or proceeding in which they are interpreting.

One simple way to learn a lot about a vehicular accident lawsuit is to analyze the case's "style." The "style" of a case is the caption at the top of a pleading that names the plaintiffs, defendants, case number, and court where the case is pending. This article will explain the development of the case style and demonstrate to the interpreter how analyzing

the style of a lawsuit can yield valuable information. Examination of the case style can clarify the roles of witnesses and predict evidentiary material and potential types of testimony that may be elicited at the proceeding.

There are at least fifteen different types of accidents that can give rise to a vehicular accident lawsuit, and at least eighteen different proceedings that can result in testimony from over thirty different types of witnesses. Certain types of documents will require translation or sight translation. The testimony of some witnesses, such as expert witnesses, will include technical terminology or industry specific concepts or terms.

The case style of a vehicular accident lawsuit begins to develop with the initial plaintiff's attorney-client interview and continues through further investigation by the attorney or his staff. The plaintiff's attorney tries to identify

all parties that could potentially be liable to the plaintiff(s). Here we show how a case style can develop from a simple intersectional collision between two vehicles into a relatively complicated lawsuit. While the parties in the following demonstration bear "tongue-in-cheek" names,

If the interpreter is familiar with legal procedures, parties, and the different types of potential witnesses commonly found in a lawsuit, he or she will have a much easier time performing the assignment.

Mark your calendars!

IJET-16 in Chicago, Illinois

June 3 - 6, 2005

the reader should keep in mind that any individual party or witness could have limited English proficiency and require the services of an interpreter.

We begin with the simple intersectional collision. Polly Pureheart was innocently driving down a street when she was hit by Ned Negligence. Ned Negligence ran a red light, striking Polly Pureheart's vehicle, causing her personal injuries and causing property damage to her vehicle. The style of the case in this lawsuit would be "Polly Pureheart v. Ned Negligence."

At the time of the accident, Ned Negligence was driving for his employer, "Crummy Corporation." This is called being in the "course and scope of employment" for his employer and thus as a general rule the employer is liable for the employee's actions. The style of the case has now become "Polly Pureheart v. Ned Negligence and Crummy Corporation."

What if Ned were intoxicated at the time of the accident? Suppose Ned came from Crummy Corporation's happy hour at Terrible Tavern. This adds a potential "dram shop" case against Terrible Tavern. A dram shop lawsuit is one wherein it is alleged that a business that serves alcoholic beverages served alcoholic beverages to someone who was obviously intoxicated. That person then, due to his or her state of intoxication, injures someone in a motor vehicle accident. The lawsuit then becomes "Polly Pureheart v. Ned Negligence, Crummy Corporation, and Terrible Tavern."

During the investigation, Polly Pureheart's attorney learns that the brakes on Ned's truck failed, possibly contributing to cause the accident. The vehicle in question is manufactured by Mediocre Motors, and the brakes were manufactured by Bogus Brakes, Inc. In order to make sure that all relevant parties are in the lawsuit, Polly Pureheart's attorney needs

to add both Mediocre Motors and Bogus Brakes, Inc. as parties. The style of the case now becomes "Polly Pureheart v. Ned Negligence, Crummy Corporation, Terrible Tavern, Mediocre Motors, and Bogus Brakes, Inc."

In addition to all of this, Polly Pureheart's injuries were more severe than they should have been because the air bag on her vehicle failed to deploy properly. Corporate names are often related to the product the company provides or manufactures. Polly Pureheart's vehicle was manufactured by Awful Autos, which used air bags made by Antiquated Airbags. Now, Polly Pureheart's attorney adds Awful



Autos and Antiquated Airbags as parties. The style now becomes "Polly Pureheart v. Ned Negligence, Crummy Corporation, Terrible Tavern, Mediocre Motors, Bogus Brakes, Inc., Awful Autos, and Antiquated Airbags."

The defendant Ned Negligence claims that the traffic signal through which he was proceeding at the time of the accident did not work properly, and that he actually had a green light at the same time that Polly Pureheart had a green light. Polly Pureheart's attorney learns that the traffic signal was manufactured by So-So Signal Corporation, who are then added as a party, thus making the style of the case "Polly Pureheart v. Ned Negligence, Crummy Corporation,

Terrible Tavern, Mediocre Motors, Bogus Brakes, Inc., Awful Autos, Antiquated Airbags, and So-So Signals, Inc."

This intersectional collision has suddenly become a much more complicated lawsuit. However, we have only added additional defendants. In any motor vehicle collision lawsuit, there can be multiple plaintiffs. Assume that Polly Pureheart's husband, Virtuous Vic, was in the vehicle, and was killed in the collision. Polly Pureheart would have a cause of action for the death of her husband under the state's wrongful death statute. She would also have an individual "bystander" claim, which is a cause of action in favor of someone who witnesses the death or serious injury of a close family member. In addition, the estate of Virtuous Vic may have claims against the defendants as well. The style of the case then becomes "Polly Pureheart, Individually and as Executrix of the Estate of Virtuous Vic v. Ned Negligence, Crummy Corporation, Terrible Tavern, Mediocre Motors, Bogus Brakes, Inc., Awful Autos, Antiquated Airbags, and So-So Signals, Inc."

During the course of their ten-year marriage, Polly Pureheart and Virtuous Vic were blessed with a child, Adorable Abigail. Adorable Abigail was also riding in the car at the time of the accident, sustained personal injuries, and also witnessed her father's traumatic injuries and death. Adorable Abigail thus has claims against the defendants as well. As a minor child, Adorable Abigail is not able to bring a claim on her own, and requires a parent to sue on her behalf. If Polly Pureheart wishes to assert claims on behalf of Adorable Abigail, the style of the case becomes "Polly Pureheart, Individually and as Next Friend of Adorable Abigail, and

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JLD Times

**Newsletter of the
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of the
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Association**

Editor: Irith T. Bloom
Publisher: Hideki Ishii

Contributors

Josef F. Buenker
Agustín Servín de la Mora
Carl Sullivan
Izumi Suzuki
Diane E. Teichman
Ken Wagner

For more information contact
Irith Bloom
e-mail: music@despammed.com

JLD Administrator:
Ken Wagner
Assistant Administrator:
Carl Sullivan



The American Translators
Association
may be reached at:
225 Reinekers Lane, Suite 590
Alexandria, VA 22314 USA
Tel: (703) 683-6100
Fax: (703) 683-6122
e-mail: ata@atanet.org

From the Administrator

Ken Wagner



By the time this issue of the *JLD Times* hits the Web, the division's nominating committee will be diligently looking for candidates for the administrator positions. (Hopefully, they won't have to look far.) That makes this an excellent time to reflect on service and volunteering.

Admittedly, volunteering for the JLD, ATA, or any other translation organization is not the same as fighting to end world hunger or disease. But, it is still a way to do something for someone without the expectation of an immediate and commensurate reward. That kind of leads to a—*ahem*—warm fuzzy feeling inside. Volunteers are able to contribute to a community that they feel some kinship with. They are also able to get more actively involved with the profession—translation and interpretation training and helping people get together. Another volunteer once said that one of the greatest (and scariest) benefits to the volunteer is the opportunity to do things that one usually wouldn't do—like writing columns or articles, leading meetings, or recruiting other volunteers. (It should be said, though, that most JLD volunteers step forward on their own.)

There are many ways to serve the translation community besides being a JLD administrator. Inside the JLD, there is the newsletter, writing articles for the newsletter, and conference planning. Within the ATA, there are elected positions, and various committees where volunteers can actually affect controversial policies such as certification, continuing education, and providing arbitration services. For J⇌E translators and interpreters, there are many opportunities outside the ATA that include serving JAT or IJET in some capacity.

But, if spending more time involved with other translators and interpreters is not your bag, thing, or bailiwick, maybe you could end up fighting to end world hunger or disease. Just volunteer. You'll find it rewarding, as a good many of our colleagues can already attest.

(This year's nominating committee consists of Jon Johanning and Shizuka Otake. See Assistant Administrator Carl Sullivan's piece below.)

Come to IJET!

If it fits into your budget, attend this year's IJET in Chicago. The JLD has poured half a year's income into IJET-16, and the J⇌E only conference has been beefed up from a two-day to a four-day affair. Meet with 200 other J⇌E translators and interpreters (almost four times as many as attend an ATA conference). The networking, training, and *socializing* opportunities are great!

Continued from Page 2

as Executrix of the Estate of Virtuous Vic v. Ned Negligence, Crummy Corporation, Terrible Tavern, Mediocre Motors, Bogus Brakes, Inc., Awful Autos, Antiquated Airbags, and So-So Signals, Inc.”

The addition of Adorable Abigail to the lawsuit will likely cause the court to appoint a guardian ad litem or attorney ad litem. This will be an individual whose sole purpose is to protect the best interests of Adorable Abigail in this lawsuit.

With each defendant added to the lawsuit, an attorney will be added as well. In this demonstration, there

will be one plaintiff attorney, but at least seven defense attorneys, all of whom have the right to ask questions of any witness.

The case style will assist the interpreter in identifying the various participants in a vehicular accident lawsuit. This, however, is merely the first step in becoming educated about the vehicular accident lawsuit. The interpreter also needs to understand the various types of proceedings that can occur, and be familiar with the potential witnesses, the various types of vehicular accident lawsuits, and the testimony

Knowing the role of each participant in the lawsuit, that party's interests in the lawsuit, and the potential lines of questioning will allow the interpreter to focus on the job at hand and alleviate some of the potential stress of encountering unexpected vocabulary or unfamiliar participants.

that may be elicited from a witness depending on that person's role in the litigation.

Josef F. Buenker, a practicing attorney in Houston, Texas, received his J.D. from the University of Houston and was admitted to the State Bar of Texas in 1989. He is the author of The Interpreter's Guide to the Vehicular Accident Lawsuit (Multilingual Matters, 2004; www.multilingual-matters.com). He is a lecturer with Language Specialist Essentials. His memberships include the Houston Bar Association and the National Association of Judiciary Interpreters and Translators (NAJIT). He can be reached at jbuenker@buenkerlaw.com

Diane E. Teichman, a Licensed Court Interpreter for the State of Texas, has specialized in judicial interpreting and translation since 1980 and has published articles and lectured on interpreting for over 14 years. Her memberships include ATA, NAJIT, FLATA, and ALTA. She is the Series Editor for the interpreter instruction book series Professional Interpreting in the Real World, published by Multilingual Matters Ltd. Diane is a lecturer with Language Specialists Essentials and can be reached at articles@linguisticworld.com

Nominating Process Underway

Dear Colleagues,

In accordance with Japanese Language Division guidelines, I am pleased to announce the appointment of the Nominating Committee for the 2005 election of Division Administrators. Our thanks go out to those who volunteered for this task! The membership of this committee consists of:

Shizuka Otake
(718) 476-0590
shizu@earthlink.net

Jon C. Johanning
(610) 574-6439
jjohanning@igc.org

It would be beneficial to the Division to encourage as many people as possible to participate in the elections. If

you feel you have something to contribute to the Division and that you would make a good administrator, please contact the Nominating Committee so that your name can be placed in nomination.

The deadline for nomination submissions is August 16. The Nominating Committee must present the names of the candidates and their written acceptances to the Board of Directors of the ATA by that date, so anyone interested must respond well in advance.

The present JLD administrators are:

Ken Wagner, Administrator
Carl Sullivan, Assistant Administrator
Rika Mitrik, Secretary-Treasurer

Some pertinent rules concerning the nomination and election process include the following (from the

applicable Division bylaws):

Who can vote?

Only active members of the Association who are accredited in Japanese-English, English-Japanese, or other language pairs including Japanese will be considered Voting Members.

Are the present administrators eligible to run again for the same positions?

No member shall be eligible to serve more than three consecutive terms in any one office, or four consecutive terms in any combination of offices. (The present administrators are eligible to serve again.)

How is the election conducted; how long are the terms of office?

The Administrator, Assistant Administrator, and Secretary-Treasurer shall be elected by mail ballot to serve for two years, and

the term of office shall begin at the close of the Annual Meeting of the Division that immediately follows the election.

What are the duties of these offices?

Administrator: The Administrator shall preside at meetings of the Division. In addition, the Administrator shall authorize the disbursement of all funds spent by the Division, keep all Division records, and in particular shall be responsible for submitting an annual report to the Association in advance of its Annual Meeting. The Administrator shall be the principal representative of the Division in relations with other organizations and bodies and shall serve as the communication link between the Division and the Association. These duties may be dele-

gated by the Administrator to other officers of the Division.

Assistant Administrator: The Assistant Administrator shall have the primary responsibility for membership matters, including contact with new members, organizing and maintaining membership rolls, identifying and appointing a Nominating Committee, and for organizing elections. The Assistant Administrator shall preside at meetings of the Division in the absence of the Administrator and, upon written delegation by the Administrator, may authorize disbursement of funds in place of the Administrator. In addition, the Assistant Administrator may, with the concurrence of the Administrator, represent the Division in relations with the Association

and other organizations and bodies.

Secretary-Treasurer: The Secretary-Treasurer shall keep written records of Division meetings, expenditures, and all other official Division business, and shall assist the Administrator in the preparation of the Annual Report.

If you have further questions about the election process, feel free to contact me (Carl Sullivan, 435-835-8504/masae@mail.manti.com). I look forward to seeing you again in Seattle.

Regards,

Carl Sullivan
Assistant Administrator
Japanese Language Division

Weightlifting for Interpreters

By Agustín Servín de la Mora
Reported by John P. Shaklee

How do you train as an interpreter? This question gave great pause to court interpreters at a recent conference. Agustín Servín de la Mora suggests the following 21-day plan to improve simultaneous interpreting expertise. He presented his training program at a court interpreter's conference recently sponsored by the Administrative Office of the Courts of Tennessee.

According to American historian Henry Brooks Adams, "They know enough who know how to learn." A crack interpreter keeps an eye on training. With a small investment of blank tapes, a tape recorder, and a headset, you can improve within three weeks. Below is a detailed plan to work out your neurons to become even better.

Let's start by clarifying what simultaneous interpretation entails. The simultaneous speaker starts after the speaker begins. "In fact, there is a delay between the moment the interpreter hears a thought and the moment

she renders that thought into the target language, because it takes time to understand the original message and generate a target-language rendition of it." (Holly Mikkelson, *The Interpreters Edge* [Spreckels: ACEBO, 1995], p. ix.) This delay is called *décalage*, from the French word for *time lag*. The better (longer) the *décalage*, the better the interpretation.

One of an interpreter's greatest fears is the need to keep up with a speaker's pace. She may compress speech as she tries to catch up in order to end with the speaker. Agustín suggests avoiding the impulse to catch up. Remember to pause between sentences. In theory, we work at almost the same speed as the speaker. Transmit the message accurately; your obligation is to inform your listeners of what is being

said. An interpreter can't follow a speaker cogently at that rapid pace, nor does she provide a smooth delivery for the target audience.

The first thing you have to do is choose one source-language text and one target-language text to be used at different times in the 21-day program. Select a medium of your choice for each language (radio, TV show, and newspapers) and work from those two texts. You could also record eight minutes of speech spoken by a native of the corresponding language. Radio stations that

broadcast over the Web are excellent practice sources. You might also tape the news. The ultimate goal is to work into the target language to increase *décalage*. Set aside 20 minutes per day to work from the original recording and interpret into your tar-

Transmit the message accurately; your obligation is to inform your listeners of what is being said.

get language. Record your rendition to check for errors. Agustin suggests using the same source language material throughout the twenty-one days.

You will train through shadowing, dual task, and paraphrase exercises. "Shadowing" means that you repeat what the speaker says, word for word, in the **same** language. What is your target language? It is essential that you remember to shadow in your **target** language.

For the dual task exercise, you will interpret rather than shadow. While interpreting (first task), write down something entirely unrelated on paper at the same time (second task). Start by writing out the numbers 1-100 as

you interpret. In theory, you should arrive at 100 several times during the exercise. If you learn the tape by heart, change the tape every week. You can expect to increase your vocabulary and fine-tune your rhythm as time progresses.

The third exercise is paraphrasing. Start off interpreting a speaker, but change the words in your message wherever you can without altering the meaning. This may prove difficult at the beginning. Use the time lag to think of other ways to express the source language terms and concepts. Remember, you can't paraphrase without *décalage*. Below is an activity log you can use to track your progress.

How does Agustin know this works? Create a baseline, i.e., tape yourself simultaneously interpreting a closing argument before you start training. Set the tape and script aside until you have completed the program. Tape yourself once again twenty-one days later. Compare your initial recording to the new one. Notice the difference? Expect to hear improved delivery and a more accurate interpretation.

Agustin Servin de la Mora has been a court interpreter for the last twenty years. He is currently the Lead Interpreter for the 9th Judicial Circuit, Florida, and is a Federal Certified Court Interpreter. Contact him at www.delamorasolutions.com, or by phone at 866-821-3529.

Day	Activity	Date	Notes	Day	Activity	Date	Notes
1	Shadow eight minutes with headset, remember the <i>décalage</i> , watch for omissions when playing back your rendition			12	Dual task with your name, address, Social Security number, phone number		
2	Shadow, count three words before starting, use the same source material			13	Dual task with Activities 8-12		
3	Shadow, increase <i>décalage</i> to four words			14	Same as Day 13		
4	Increase to five words			15	Paraphrase, change one word per paragraph (the attorney approached the bench, the lawyer...)		
5	Increase to six words			16	Paraphrase, change two words per paragraph (Did you see the policeman who arrested you? Did you see the cop that busted you?)		
6	Increase to seven words			17	Paraphrase, change one word per sentence		
7	<i>Décalage</i> up to eight words			18	Paraphrase, change two words per sentence		
8	Dual task: Write out the numbers 1-100			19	...three		
9	Dual task: Write out numbers 1-100, odd numbers (1, 3, 5, 7, 9, etc.)			20	...four		
10	Dual task: Write out even numbers 1-100, (2, 4, 6, 8, 10, etc.)			21	...five		
11	Dual task with the alphabet (A, B, C, D, etc.)						

IJET16 CHICAGO

The Japan Association of Translators (JAT) is pleased to announce the 16th Annual International Japanese/English Translation Conference (IJET-16). Translators and interpreters from across the globe will journey to Chicago, USA on June 3-6, 2005 for the world's premier E⇌J translation conference. Chicago, also known as the Windy City, features spectacular architecture, excellent restaurants, plentiful shopping, and convenient public transportation. Plan to stay a few days longer to take in the city.

Informative Sessions

As at past IJETs, Saturday and Sunday will be packed with sessions. Saturday will begin with an opening

ceremony and a speech by Scott Brennan, President of the American Translators Association. Shortly thereafter, Cornelius Iida, interpreter to Presidents Carter and Reagan, will give the keynote address. After lunch, presentations on topics relating to translation and interpretation will be given in three breakout rooms. Sunday will feature more presentations, again in three breakout rooms.

IJET-16 received a very generous \$3000 grant from the Japanese Language Division of the American Translators Association. Some of the grant has been allocated toward the keynote speaker. The remainder will be used as honoraria for expert speakers

who are not necessarily translators. These recognized experts will share their knowledge with IJET-16 attendees.

The organizing committee received so many excellent proposals for presentations that we decided to have two extra days for field-specific presentations. Tentatively, a seminar on biomedicine will be given on Friday afternoon before



the Zenyasai, or pre-conference dinner. A post-conference seminar on patents is slated for Monday morning. The June 3 and 6 sessions of IJET-16 are being sponsored by the University of Chicago Graham School of General Studies (<http://grahamschool.uchicago.edu/>), which offers a Certificate in Translation Studies. The Graham School of General Studies is the venue for the seminars.

There's More

IJET conferences are an excellent place to catch up on industry

trends and network with colleagues, but it's hard to do everything in the two days normally allotted for an IJET. That's why IJET-16 will be a four-day conference. In addition to the Friday and Monday field-specific seminars, there will be meetings of special interest groups (SIGs) on Monday morning. In a roundtable format, each SIG will cover

one theme directly or indirectly related to translation (e.g., pharmaceuticals, parenting and translation, finance, tax issues). SIGs will meet in a restaurant, park, coffee shop, bar, or other location, instead of a stuffy conference room. Feel free to propose a SIG of your own. In addition, an exhibit hall featuring translation companies and vendors of translation tools and software will be open on Saturday afternoon and all day Sunday.

Visit <http://www.jat.org/ijet/ijet-16/> and follow the links for more information. To receive periodic emails about the conference, contact Ben Tompkins, organizing committee chair, at ijet-16@jat.org.

Get exposure for yourself or your company by buying a business-card-size ad in the *JLD Times*

Your Business Card Here

For more information, please contact Irith Bloom at music@despammed.com

IJET16 CHICAGO

日本翻訳者協会（Japan Association of Translators、略称JAT）では、第16回英日・日英翻訳国際会議（IJET-16）を米国シカゴにて、2005年6月3日?6日に開催いたします。この世界最大の英日・日英翻訳会議には、翻訳者、通訳者が世界中から集まります。別名 Windy City（風の街）とも呼ばれるシカゴは、建築の街、食通の街、ショッピングの街、そして公共交通機関の発達した街として有名です。少し長めに滞在して、シカゴ見学をお楽しみください。

情報満載のセッション

これまでのIJETと同様、土曜日と日曜日には盛りだくさんのセッションが行われます。土曜日はまず、開会式と米国翻訳者協会のScott Brennan会長の挨拶で始まり、引き続き、カーター大統領およびレーガン大統領の通訳者Cornelius Iida氏による基調演説が行われます。昼食後、翻訳と通訳に関するプレゼンテーションが3つの小会議室で行われます。日曜日と同じく3つの小会議室で、多くのプレゼンテーションが行われます。

IJET-16 は米国翻訳者協会日本語

部会から3000ドルという多額の補助金を頂きました。この補助金の一部は基調演説者の費用に充てられており、残りは演説してくださる専門家の方々への謝礼に充てられます。専門家の方々には必ずしも翻訳者ではありませんが、各自の専門知識をIJET-16の出席者にお話していただきます。

実行委員会では、数多くのすばらしいプレゼンテーションの申し出を頂きましたので、分野に特化したプレゼンテーションに2日ほど追加の日程を組むことにいたしました。今のところ、生物医学に関するセミナーが金曜日の午後、前夜祭の晚餐会の前に、そして特許に関するセミナーが会議後の月曜日の午前に予定されています。IJET-16の6月3日と6日のセッションは、シカゴ大学Graham School of General Studies (<http://grahamschool.uchicago.edu/>)の後援で行われ、同校がセミナー会場になります。Graham School of General StudiesのTranslation Studiesのプログラムではコース修了証書を授与しています。

さらには

IJETは、業界の流れを捉え、仲間同士でネットワークングをするのに

最適な場所ですが、通常の2日間の日程ですべてを行うことはとてもできません。そこでIJET-16は4日間の日程にしました。金曜日と月曜日の分野に特化したセミナーに加えて、月曜日の午前に分科会（Special Interest Group、通称SIG）の会合を開きます。それぞれの分科会は座談会形式で、翻訳に直接あるいは間接に関連するテーマ（医薬品、子育てと翻訳、ファイナンス、税金など）を話し合います。分科会は、堅苦しい会議室を使用せず、レストラン、公園、コーヒーショップ、バー、その他の場所に集まります。ご自由に分科会のテーマをご提案ください。また展示会場では、土曜日の午後と日曜日の終日、翻訳会社および翻訳ツール/ソフトウェアのベンダーが展示を行います。

詳しくは <http://www.jat.org/ijet/ijet-16/> をご覧いただき、ご希望のリンクをお選びください。会議に関する定期的な電子メールの受信をご希望の方は、実行委員会の委員長 Ben Tompkins まで ijet-16@jat.org にご連絡ください。



The Californian Statewide Interpreters Conference

By Izumi Suzuki

The first Californian Statewide Interpreters Conference took place in Universal City on September 18, 2004. This conference was organized by the Administrative Office of the Courts under the Judicial Council of America. It was wonderful to see Manako Ihaya, the only other Japanese interpreter from the JLD whom I met at the conference

I was probably the only one there from out of state, except for a few presenters from Oregon. Since California is the only state that gives the court interpreters certification exam in Japanese, I decided to get certified

there so that I could be virtually automatically certified in Michigan, where I live, thanks to the National Consortium of Supreme Courts to which both states belong. California is much more advanced in the court interpreting area than many other states, including Michigan. From that viewpoint, what I learned at this conference is beneficial not only to myself, but also to the State of

Michigan where I have been asked by the Administrative Office of the Court to hold a workshop for those who want to be court interpreters.

The theme of the conference was “One Voice: a Community of Interpreters.” Following a breakfast/registration period, the conference started with welcome remarks from Pat Sweeten, Director of Executive Office Programs, and then a video recording of Hon. Ronald George, Chief Justice of

California and Chair of the Judicial Council. Then Mr. William C. Vickery, Administrative Director of the Courts, gave an address, saying that California’s court system is unique in that it has the Judicial Council, which consists of some 400 members. (He said there is only one other state like California, but didn’t mention the name.) The keynote address was given by Holly Mikkelson, who is well known among those involved in court interpreting. She is of course an ATA member, too. Under the title “E Pluribus Unum” (the motto of the United States), she reviewed the history of court interpreting in California,

the origins of the schisms that have plagued interpreters, and the urgent need for unity as we face challenging times in the future.

Needless to say, most of the participants were court interpreters. What impressed me was that this conference was not only for spoken language interpreters but also for sign language interpreters. The first session and the plenary session at the end of the morning were both interpreted by sign language interpreters. Even though I have no knowledge of sign interpreting, I could tell that they were conveying not just words but also the emotions of the speaker (without which any interpreting would be incomplete).

There were four concurrent workshops, two in the morning and two in the afternoon. There were several sessions related to Spanish, since a majority of the participants were

Spanish interpreters. There were also ASL (American Sign Language) sessions, as well as sessions on medical topics. I attended “Interpreting Strategies: Memory Research and Applications,” presented by Ms. Julie Johnson, and “Types of Interpreting: Team Interpreting,” presented by Mr. James Comstock and Ms. Keri Brewer, in the morning.

“Memory Research and Applications” is something any interpreter would like to know more about. First we need to understand how memory works. Ms. Johnson explained it with a simple graphic, but in a nutshell, remembering depends on *how you listen*. Then we did an exercise called the digit span. Basically, it is a test of how much you can remember of a 9-digit number you just heard. Then she asked those who were able to memorize all 9 digits how they did it. Some said they sub-vocalized, others said they associated the numbers with their fingers, and others said they wrote down the digits in their mind. These are some of the strategies you can use. When interpreting, there are other strategies you can utilize: selection control (what to select), span control (how long one focuses on something), depth and detail control (picturing what you hear), mind activity control (association/linkage—to make information more meaningful), and satisfaction control (it’s easier to remember things that you are interested in). You should know and use what you are good at, and work on your weak points. These strategies are for short-term memory. Then she went on to explain AWM (active working memory) and long-term memory, which I will omit here due to space limitations. It was a very useful session for improving one’s consecutive interpreting skills.

“Team Interpreting” was presented by a language interpreter and a sign lan-

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guage interpreter from Oregon. I was interested in this topic, because team interpreting is not used in Michigan, unless the situation calls for simultaneous interpreting. The presenters talked about when and why team interpreting is needed (for monitoring and support purposes, when the length is over 2 hours, when there are different dialects involved, etc.), and what makes a good team interpreter. There were many comments from the audience, which indicated to me that this is a common practice in California. It was good that so many people wanted to make comments, and there was a good discussion, but it consumed too much time and the presenters couldn't get through their full agenda. One hour was not enough for this session.

Then there was a plenary session, "Voice Preservation," presented by Dr. John Samples. This topic was very interesting to me personally (and to many other interpreters, I am certain), but again the time was too limited. A few things I learned: clearing your throat is very bad for your vocal chords; on the other hand, yawning is very good for your vocal chords; vocal chord abuses that you should eliminate are shouting, loud talking, screaming, vocal noises, coughing, excessive talking, and whispering (soft talking is good). The doctor also taught us how to find your optimum pitch and he advised us to stay close to your best pitch. He mentioned we should do warm-up exercises (if you are interested in these, I can send them to you—see my e-mail address below), and try to use midsection breathing (the most efficient style of breathing). It was a very interesting session, but clearly too short. Many people lined up to talk to the speaker after the session (in spite of it being lunch time!). He would be a wonderful candidate for keynote speaker for the JLD or IJET.

In the afternoon, I attended "Mentoring," presented by Ms. Sharon Neumann Solow, who was a dynamic speaker. She talked about her experience as a mentee as well as

a mentor with such joy that I am certain many people in the room felt they wanted to be mentors or mentees. She did not talk much about formal procedures and logistics (how often, for how long, etc.); her own mentoring experience was/is face-to-face. So, for those who are thinking of mentoring someone at a distance, things may not have been clear. (The ATA's mentoring session was very specific and helpful in that regard.) However, her enthusiasm for mentoring and how beneficial such experience is, especially for mentors, was genuine and very clearly communicated.

The last workshop I attended was "Japanese Language and Culture," presented by Dr. Haruko Iwasaki. I was not expecting to get much new information from this session (being a Japanese who has taught the language and is a culture consultant myself). However, this session was so deep and powerful that I was highly impressed. It might have been a little difficult for non-Japanese speakers to follow, but Dr. Iwasaki's insights into the usage of Japanese verb conjugations were very intriguing. Her observations on *silence* (it's not a void but an eloquent expression in Japanese) and her real-life examples from when she was working in a hospital were moving, to say the least. I felt I was able to deepen my understanding of the Japanese language through her talk. She would also be a great candidate for keynote speaker for the JLD or IJET.

After the workshops, there was one more joint session, which involved a panel of judges moderated by the former ATA President and current NAJIT Executive Director, Ann Macfarlane. Judges Leo Dorado, John M. Pacheco, and Craig L. Parsons talked about "Confidentiality" based on the handout "Confidentiality conundrums." The audience members first jotted down what they thought of each question, and then each judge answered from his perspective. There were seven items on the handout, but I will present just one example.

"ATTORNEY ON THE OPPOSITE SIDE: You interpreted for Mr. M when he was talking to his accountant Mr. P about his forthcoming court case. What did Mr. M tell his accountant?"

The summary of what the judges said is as follows: Since no attorney was involved, this is not an attorney-client privileged conversation. However, an interpreter is merely a conduit and has an ethical obligation not to disclose (fiduciary responsibility).

In the end the panel received written questions from the audience, which showed what kinds of problems court interpreters face. It is always very interesting to hear judges' opinions, because in the courtroom we don't have the time or standing to ask this kind of question. The session also showed how advanced California is in the court interpreting area. Judges (and, judging from my previous experience, prosecutors, attorneys, and court administrators) know what court interpreting is and appreciate court interpreters. The courts in Michigan (and many other state courts in which I have interpreted) have a lot to learn. I hope I was able to share some of what I learned at this conference with JLD members during my court interpreting session at the Toronto ATA conference.

I heard there were some 400 participants in this conference, and that there were many others who were on the waiting list and couldn't come. To me, it was worth paying the airfare, rental car fees, and hotel costs (the conference fee was very reasonable) to participate in this fine conference.



Izumi Suzuki is an interpreter and a translator, ATA-accredited in both directions between Japanese and English, and court-certified through the State of California. Izumi and her husband Steve Myers operate Suzuki-Myers Associates, Ltd. in Novi, Michigan. Izumi was a member of the board of directors of the ATA, and is a former Administrator of the Japanese Language Division.

*E-mail address: izumi.suzuki@suzukimyrs.com
Web site: www.suzukimyrs.com*