What is court interpreting?

Comments on how conference interpreters see court interpreting.

A number of conference interpreters were asked what they thought made court interpreting different from conference interpreting. Below is the gist of their answers:

1) A court interpreter does not work from the comfort and isolation of a booth.

2) The average "client" of a court interpreter is rarely as articulate or fluent as a conference delegate. Fear and uncertainty also renders their language more incoherent.

3) A court interpreter rarely has the advantage of working in a team of interpreters. Court interpreters work alone, for long hours, with no rest or recovery time. The potential damage to their vocal chords is never considered.

4) Court interpreters do not only work in court, but they are involved at every stage of the legal process, especially in systems where they are called to the interview following arrest. Such sessions often take place at unsociable hours. Interpreters are naturally expected to arrive at the police station, alert and articulate, minutes after being dragged from slumber by the telephone.

5) Court interpreters must naturally observe neutrality regarding the content and impartiality between parties. This is frequently difficult to maintain due to the insistence by the "client" to regard their (compatriot) interpreter as an ally.

While these points reflect - to some extent - the actual situation, they require some commenting in order to put things into a proper perspective:

1) I think there are many different forms of interpreting. Working in the simultaneous mode from a booth is just one. Also for conference interpreters, consecutive and whispered interpretation are still common features in certain situations (business negotiations, factory visits, study tours, visits by political delegations/heads of state, board meetings, interviews, etc). When considering the special set-up of the standard courtroom and the most common type of interpreting assignment for court interpreters (hearings, interrogations of parties or witnesses of 30 minutes to 2 hours), then conference-room facilities are certainly not necessary. After all, only a fairly small percentage of court proceedings involves interpreting. However, in some countries (e.g. the USA), courtrooms are fitted with booths and conference equipment since case after case is handled in a non-stop manner.

2) While it is true that the average educational background of a court interpreter's client differs from that of the average conference delegate, which has an influence on speakers' oral performance, one should also bear in mind that it is often more essential for a defendant or a witness to be properly understood and interpreted than for a conference delegate. It should be a challenge to any interpreter
to have the necessary language skills ready when working in court in order to help a person to be properly understood and to understand. As to speakers' fear and uncertainty - it is my opinion that conference speakers will often speak too fast, simply because they are afraid of delivering a paper in public or are insecure about their speaking skills. I guess we have all had ample opportunity at conferences to complain about fast or unintelligible speakers.

3) The standard assignment of a court interpreter is usually finished within a couple of hours, except for major trials. Whenever court sessions are scheduled for longer periods, breaks will certainly be the order of the day, since all parties present in the courtroom will request them. I personally never had any difficulties asking a judge for a break, especially when making all arrangements concerning the court interpreting ahead of a trial. The same is true for working in teams. Again, the arrangements will depend on the case and the (growing) understanding of judges or attorneys regarding the work of court interpreters. In arbitration proceedings, working in a team (consecutive or simultaneous) has become standard, especially when the case lasts more than a day. I do not think that damage to the vocal chords is the major health risk related to uninterrupted hours of work. Fatigue and lack of concentration should be considered first. One should also bear in mind that large courtrooms often have amplification systems so that interpreters (as well as judges, prosecutors, witnesses, accused, counsels, etc.) do not have to shout.

4) Court interpreters are usually assigned to do court work, but the police, immigration and other authorities will sometimes contact them when their own interpreters are not available. Since crimes frequently happen at unsociable hours, it cannot be avoided that court interpreters will occasionally have to work at such hours. However, this is the exception rather than the rule, unless an interpreter is called in to work for a major drug or racketeering case. I personally find, though, that being where the action takes place is more challenging (and rewarding) than waiting in some conference booth or interpreters' lounge at a ghastly hour for a debate to end or a meeting to resume.

5) As a court interpreter, you must make it clear from the very beginning - and to everybody in court - that you are impartial and will assist only in the cause of justice, contributing (hopefully!) to everybody's better understanding. The seating arrangements which an interpreter seeks in a courtroom can often contribute to making that point clear, especially to a court interpreter's "clients". Avoiding conversations - in a firm and friendly way- is another way of preserving one's impartiality.

I think it would be highly informative for interpreters who work only at conferences and with conference-room facilities, to attend a court session with interpretation. In particular, they would soon realize that unless you have mastered all interpreting skills - in addition to knowing the legal system and the particulars of the specific case - you will be unable to perform well in a court job.

Liese Katschinka is a member of AIIC's Legal and Court Interpreting Committee.

Recommended citation format: