

What Every Attorney Should Know About Interpreters & Not Be Afraid to Ask!

Interpreting in Miami has changed a lot over the decades. It first surfaced around 1961 in a limited fashion, as the first wave of Cuban immigrants came to Miami. Most of these immigrants were members of the middle class, who for the most part already had some knowledge of English. The need for court interpreting was thus limited at first and was filled by language students and bilingual individuals in the community who worked for a handful of language agencies.

Let's fast forward to 2008. There are three pages of listings for interpreters in the phone book and many that are currently working are not listed. Twenty percent of the population of Florida and fourteen percent of the population of the US is Hispanic, not to mention various other ethnicities that live in both the state and the country. This foreign-speaking population is comprised of people from all walks of life, many of whom do not speak English well enough to make do without an interpreter in a legal setting. According to the U.S. Census Bureau, American Community Survey 2000-2005, nearly half (47.5%) of the more than 3 million Florida residents for whom Spanish is the primary language, describe themselves as speaking English "less than very well."

Nonetheless, interpreting/translating is still a relatively young industry in the U.S. and is currently unregulated. Interpreters are not legally required to have an accreditation unless they are hired directly by the court system and are being paid with taxpayers' money. Due to this and because it is easy to hang out one's shingle, it is an unfortunate fact that there are interpreters in the market holding themselves out as professionals, although they lack the necessary credentials and experience.

This affects attorneys, because they depend on the interpreters with whom they work to do their job properly. Attorneys and clients in general, are not set up to screen the language providers with whom they come into contact to verify their proficiency, nor should they have to. Unless there is a glaring deficiency, the inexperienced may slip through. Whereas an interpreter is bilingual, a bilingual person



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is not necessarily an interpreter. It is one thing to speak two or more languages, but quite another to be able to professionally interpret from and into those languages. This fact may not be apparent in casual conversation and may not become evident unless the attorneys and/or parties involved speak both languages, know the specific terms involved and are able to recognize them. In some cases, those listening may not speak one or both languages well enough to judge the quality of the interpretation.

Most cases rely heavily on testimony to decipher the facts at issue and to form an understanding of a witness' credibility and motivation. A misinterpretation or a nuance that is not conveyed properly can negatively affect the outcome of a case. To ensure that you receive competent and professional assistance in cases requiring language services, ask your language provider for his/her credentials and if your case involves specialized terminology make sure the interpreter assigned to your case is familiar with the jargon of the industry in question. Typically, this is all handled for you when you contract the services of an established agency or Language Service Provider (LSP). You should note, however, that not all companies have the same standards, because there are no regulations governing the level of expertise interpreters must have to work in the industry. The best LSPs with which to partner are those that have experience in the industry, that source their interpreters from existing professionals and from reputable university-level language programs, that require accreditation in interpretation by the State Consortium in spite of its not being mandatory yet, and that regularly strive to develop their personnel through continuing education. To run a successful operation, language companies need to make sure that the interpreters hired have the training and credentials to carry out your assignments at a specialized level. The staff should make sure that the right individual is assigned to each job and that they execute their work in a timely and professional manner. Furthermore, accredited interpreters can be scheduled, through your local LSP, at locations around the country or around the world. In addition, established LSPs can provide you with any written translations that your case may require, as well as with certified linguists to render expert witness testimony on language issues.