Demystifying Translator Liability
Interpreting at Nuremberg
Power Words for Interpreters
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The road map presented by the PR Committee is exciting for all of us. It is based on a holistic and balanced approach: identifying and prioritizing target audiences, updating and customizing our PR message, developing multiple channels and resources to distribute our PR message, and disseminating the PR message both proactively and reactively. One of the most exciting pieces of this plan is the establishment of the ATA Speakers Bureau, made up of experienced, carefully vetted speakers who will represent ATA by addressing different topics in a variety of settings.

Proactive efforts include cultivating relationships with key journalists and writers and contacting them with our message ahead of seasonal stories, such as the uninformmed articles on machine translation that frequently appear in August—that pesky “slow news” month. Our hope is that this investment will create a virtuous cycle. As more clients come to ATA members for vendors and advice, the Association can deliver more value to its members, and as more translators, interpreters, and translation companies join ATA, the Association will have more value to offer clients.

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Note that this is all in addition to the “old” stuff: the Client Outreach Kit is now featured prominently on our revamped website to help you land direct clients (look for a conference session to help you get the most out of it), and the time-tested School Outreach materials are free and available for your use.

And speaking of outreach, with a class reunion coming up in September, I will be taking an hour out of my day to talk to language majors at my alma mater (go Bearcats!).

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From the President
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Dog Days

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Legal Translator Liability: Some Myths and Realities

By Thomas B. Mann

Here is an explanation of the basic tenets of the law governing translator liability and why legal translators are probably less vulnerable than they think.

“Power” Words to Do Justice to Interpreters and Language Services Providers

By David L. Lauman

The proper use of “power” words can improve the public’s perception of professional interpreters by portraying interpreting as a rigorous, intellectually demanding endeavor.

Whatever Could Be Said

By Ewandro Magalhães

How an unprecedented and expeditious method of interpreting made the Nuremberg trials possible.

A Strategy for Expressing Arabic Diglossic Elements in English

By Carmen Cross

When translating from a language that exhibits diglossia, such as Arabic, into one that does not, such as English, it is important to analyze each dialectal element individually and to decide if it should be expressed in the target language and, if so, how best to express it.
Carmen Cross has over nine years of experience translating medical and legal documents from Arabic and German into U.S./U.K. English. She specializes in translating legal and clinical trial documentation, including patents, contracts, medical reports, clinical trial protocols, research articles, and start-up documentation. She is a member of ATA’s Medical Division. Contact: carmensusecross@yahoo.com.

David L. Lauman is a freelance Spanish<>English translator and interpreter and Portuguese>English translator in Denver, Colorado. He is also a federally certified court interpreter. His experience includes conference, seminar, legal, law enforcement, medical, community, and business interpreting. He frequently puts his teaching background to use as a speaker on translation and interpreting. He has an MA in translation and interpretation from the Monterey Institute of International Studies and a BA in Latin American studies from the National Autonomous University of Mexico. Contact: david@2020translations.com.

Thomas B. Mann is an attorney who practiced international business law with a corporate law firm in Chicago in the late 1980s/early 1990s. He has a JD from American University and a Masters of Law degree (LLM) from the Universität Heidelberg in Germany. Since 1993, he has served as managing director of the specialist legal translation firm TransLegal Deutschland GmbH in Germany, and as president of U.S.-based TransLegal Inc. He is also vice-president of the Stockholm-based TransLegal Group, which provides legal English services and resources for the global legal community. Contact: mann@translegal.com.

Ewandro Magalhães is an experienced conference interpreter and trainer of interpreters. He has a master’s degree in conference interpretation from the Monterey Institute of International Studies. He is the chief interpreter at the International Telecommunication Union in Geneva, Switzerland. He is the author of Sua Majestade, o Intérprete - o fascinante mundo da tradução simultânea. You can find his blog, Field Notes, at www.ewandro.com. Contact: ewandro@gmail.com.

60% of readers turn to The ATA Chronicle as their primary source of information about the translation and interpreting professions.

81% of subscribers read the advertisements in The ATA Chronicle.

36% of readers buy products in The ATA Chronicle advertisements.

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They say that Chicago is the “city that works,” which seems very appropriate considering that ATA’s 55th Annual Conference will take place in Chicago, November 5-8. With November fast approaching, it is time to get down to work. To avoid a last-minute rush, might I suggest taking some time now to do a little planning.

Chart a Course Forward: Book an hour into your schedule to have a heart-to-heart with yourself to take stock of where you are. In the corporate world, this is called a SWOT analysis: an assessment of your strengths, weaknesses, and the opportunities and threats you face. Now, pull out your Preliminary Program for the conference and see if your choices need tweaking to respond to the goals you have just identified. (Please note that the online program reflects the latest changes, www.atanet.org/conf/2014.)

Find a Good Navigator: If this is your first time to the conference, consider attending the Buddies Welcome Newbies event in order to find someone who can help show you the dos and don’ts and the “must sees” of the conference. Likewise, if this is your umpteenth conference, consider sharing your knowledge to rediscover the conference through the wide eyes of a first-time attendee.

Attend Division Events: Make sure there is also at least one division social event on your conference calendar. Meet the people who speak your language, whether it is tech-speak, Portuguese, or medical terminology.

Allow for Detours: Finally, take some risks. If you have been to the conference before, you do not need to tread the familiar track of sessions that you always do. This is your opportunity to explore a field that interests you, take an unfamiliar tool for a test drive, or connect with someone new at an early morning Zumba class or over late-night drinks. Challenge yourself further by stepping up and sharing your new perspective by asking a question of the speaker or perhaps writing up your experience for a chapter or division newsletter or blog.

Enjoy the Journey: They say that attending an ATA conference is a transformative experience, and the keys to that transformation are in your hand. We often do not realize how much the conference has affected us until we get back to the office. Do not try to oversteer your experience with too many goals. Focus on having fun. You will not be able to meet everyone and attend every session, and that is okay. There is always next year.

Put Your Best Foot Forward: With over 1,800 people in attendance, ATA’s Annual Conference can be overwhelming. But you can make the most of the conference by focusing on one-on-one meetings. In addition to packing your business cards, be sure to complete your profile in the conference app (available in September). You can also use the conference app to contact fellow attendees and fill your schedule so you have someone slated for every meal, including breakfast! Staying at the conference hotel also makes it easy to schedule an impromptu afternoon meeting with a new, potential business lead.

USEFUL Conference Links

- Book Your ATA Conference Hotel Room
  www.atanet.org/conf/2014/hotel.htm
- Buddies & Newbies
  www.atanet.org/conf/2014/newbies.htm
- Conference Schedule and Registration
  www.atanet.org/conf/2014
- Conference App
  (available in September)
  www.atanet.org/conf/2014/app.htm
- Division Events
  www.atanet.org/conf/2014/division.htm
- Tips for First-Timers
  www.atanet.org/conf/2014/first_time.htm
The American Translators Association’s Board of Directors met July 12-13, 2014, in Palm Springs, California. Here are some highlights from the Board meeting.


Proposed Bylaws Revisions: The Board approved putting forward two proposed bylaws revisions for approval by the membership. The proposed revisions are: 1) to increase the number of honorary members, and 2) to institute term limits for the number of consecutive years of service for ATA Board members. ATA’s bylaws may be altered, amended, or repealed by a two-thirds vote of the voting members. The proposed bylaws revisions will be published in the September issue and posted online.

Public Relations Committee Chair: The Board approved the appointment of Madalena Sánchez Zampauno as the chair of ATA’s Public Relations Committee. Madalena, who was already a committee member, replaces Paula Dieli, who resigned due to a change in her employment.

Ethics Procedures Commentary: The Board approved the proposed commentary for the ATA Policy on Ethics Procedures. This commentary was developed to explain the ATA Policy on Ethics Procedures through examples and enumerated steps. This is a “living” document, which means changes can be made as needed.

Election Policy Revision: The Board approved a revision to ATA’s election policy. The change addresses what to do if a candidate for ATA’s Board withdraws his/her candidacy prior to the election (Meeting of Voting Members) held during ATA’s Annual Conference.

Resolution: The Board passed a resolution honoring and thanking ATA Accounting Manager Kirk Lawson for his 10 years of service.

On a final note, this Board meeting marks the last one for Directors Lois Feuerle, Virginia Perez-Santalla, and Tim Yuan. All have served two terms, plus Virginia has also served two terms as secretary. ATA has been fortunate to have these dedicated professionals volunteer their time and energy to lead the Association. Thank you, Lois, Virginia, and Tim.

The Board meeting summary is posted online. The minutes will be posted once they are approved at the next Board meeting. Past meeting summaries and minutes are also posted online at www.atanet.org/membership/minutes.php. The next Board meeting is set for November 8-9, 2014, in Chicago, Illinois, in conjunction with ATA’s Annual Conference. As always, the meeting is open to all members, and members are encouraged to attend.
Connect with over 1,800 colleagues from around the world, share your interests and experiences, and build partnerships. Choose from over 175 sessions, learn practical skills and theory, be inspired by new ideas, and join the discussions that matter to you and your profession.

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www.atanet.org/conf/2014

**REASONS TO ATTEND**
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Find out why this event is essential for translators, interpreters, and other language services providers. Visit www.atanet.org/conf/2014/attend.htm to see what the buzz is about.

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If you are a legal translator, then the following scenario should sound familiar. Your stressed-out lawyer client hires you on short notice to translate a complex legal document under a tight deadline. As the deadline approaches, you scurry to complete your proofreading while facing a barrage of e-mails and calls from your client’s neurotic legal assistant. You begin to surmise that several high-priced professionals, with their meters running, are waiting around for your work. You manage to deliver the final product, but moments later get a nasty pit in your stomach. What if a mistake was missed in the translation? What if the client’s own client makes a costly, and incorrect, decision based on that mistake? Will you be held liable for all of the problems arising from that one error? Your anxiety will undoubtedly grow as you recall that the client is a lawyer, whose basic tool of the trade is also language and whose very livelihood probably consists of enforcing claims against people who make mistakes.

What follows will describe very broadly the general legal framework for translator liability in situations like the one I just described. It will also offer a brief explanation of how the law itself provides translators with some protection against such liability. Please note that this article does not purport to be, and should not be relied upon as, legal advice.

First Semester of Law School
Any translator liability would be

Any person claiming to have incurred a loss due to a poor translation must meet the burden of proving that the translator breached his or her duty.
based on a theory of contract law and/or tort law, areas typically covered in the first semester of law school. A tort is a private or civil wrong arising from a violation of a legal duty recognized by law. It serves as the grounds for a lawsuit. The primary aim of tort law is to provide relief for the injury or damages caused by one person to another and to deter others from committing such harms.

So, for instance, if the translator and the client have a direct contract with each other (like the translator and lawyer in the scenario at the beginning of this article), then the client would likely assert a claim against the translator based on the terms of that contract in the event he or she suffers a loss from that translation mistake. If the injured person is not a client and does not have a contract with the translator but is nevertheless harmed by the translation mistake (perhaps the lawyer’s client in our scenario), then that injured third party could assert a claim against the translator based on the theory of tort law.

The basic rule under contract law is that if the translator and the client have formed a binding translation contract and the translator fails to perform that contract in accordance with the contract’s terms and conditions (i.e., if he or she “breaches” the contract), then the client may demand that the translator pay compensation for any damages that the client incurred due to that breach.

**Breach of Contract**

A translation “contract” does not need to be a formal written agreement signed by the translator and the client. A legally enforceable contract will be formed if the translator and the client simply agree that the translator will translate a source text in exchange for certain defined compensation. Indeed, most binding translation contracts are formed in an e-mail thread. If other promises are made (e.g., the date of translation delivery, the use of glossaries supplied by the client, or the terms of payment), then these promises will also become part of the contract.

If any of these promises are breached, then the client will seek to be put in the same position that he or she would have been in had the translator duly performed the translation duties under the contract. If a translation contains mistakes, the translator will owe the client the amount of money (“damages”) that it will take to correct the mistakes. In practice, such damages are generally the costs of retaining another professional translator to review and correct the translation.

The tricky contract issues here are: 1) at what point do translation mistakes constitute a breach of contract, and 2) if they do constitute a breach, can the translator be held liable for other damages that are the consequence of the translator’s mistake? These issues and the answers to them are very similar to the issues and answers raised in actions based on tort law and are examined later in this article.

**Liability under Tort Law**

A translator’s liability under tort law (specifically the concept of negligence) will also be based on a breach of duty, but this duty is one not imposed by a contract, but instead one imposed “by law.” In a translation context, if the translator fails to perform (“breaches”) a duty of care, which under the law he or she owes to any person who could be expected to rely on the translation, and such breach causes an injury to that person directly, then the injured person (claimant) may demand that the translator compensate him or her for any injuries sustained. The claimant will generally seek to be put in the same position that he or she would have been in had the translator not breached the duty of care.

In our legal translation scenario at the beginning of this article, either the translator’s lawyer client or that lawyer’s own client would most likely claim that the mistake in the translation led to a wrong action or decision, which in turn led to a measurable loss. Most of the facts (“elements”) that the claimant would need to prove under a negligence case against the translator could be established. These are:

1) The translator will have owed a *duty of care* (an accurate translation) to the lawyer client and to the lawyer’s own client (who routinely orders the translation).

2) The translator who commits a translation mistake will have *breached that duty of care*, provided that he or she failed to exercise the skill normally possessed by members of the translation profession.

3) The translation mistake actually and *directly* will have caused the *injury*, provided that the claimant shows that the injury would not have occurred had it not been for the translator’s mistake.

4) The claimant will have almost certainly suffered an *actual injury* (loss).

The main issues under a negligence theory relate to the second and third elements described above and are not dissimilar to the aforementioned issues under a contract law theory. Did the translator actually breach the duty of care owed to the claimant? Did that breach actually and directly cause the injury of which the claimant complains?
“Once More unto the Breach”

The common issue under both legal theories is whether or not the translator actually breached a duty of care (contractual or legal). Unfortunately (or perhaps fortunately) for translators, translation contracts typically offer little guidance on when a contractual duty is breached (contract law). Also, case law and the translation profession are largely silent on when a translator’s standard of care is breached (tort law).

Most translation “contracts” contain nothing more than a price and delivery date. I have seen thousands of translation contracts over 20 years in the business and have never once seen an attempt by a client or translator to set translation performance criteria. If translation contracts specifically quantify how many translation mistakes would be tolerated (e.g., minimum number of omissions, inaccuracies, typos, semantic inconsistencies, etc.), then the translator’s minimum duty (and potential for liability) would be much easier to identify.

The courts have also not provided much guidance on what legal standards might apply to translations. Based on my own legal research, as of September 2013, there has not been a single contract or tort case establishing standards for translator liability ever reported in the U.S. Thus, there is no legal precedent on translator liability that a claimant or court could follow.

If a court were faced with a translation liability case, however, it would look to industry standards as a benchmark in determining the duty of care. Yet, while standards for the translation industry exist at the international level (e.g., ISO 12616, Translation-Oriented Terminology), supranational level (e.g., European: EN 15038, Quality Standard for Translation Services), and national level (U.S.: ASTM F2575.06, Standard Guide for Quality Assurance in Translation), they vary in scope and purpose and often raise more questions than they answer. For instance, are these standards considered “best practices,” “preferred practices,” or “basic minimum requirements?” How recognized and generally accepted are they? In a court case, a claimant would need to establish which standards apply and prove that they were actually violated by the translator.

The Law Itself as a Shield to Legal Translator Liability

While contracts, case law, and industry standards offer little guidance in determining whether a mistake in a legal translation can qualify as a breach of contractual duty or duty of care (thereby triggering liability), translators should take comfort in knowing that these same laws yield excellent defenses for shielding translators from liability.

As suggested earlier, any person claiming to have incurred a loss due to a poor translation must meet the burden of proving that the translator breached his or her duty. This task will not be easy because there is no legal precedent or industry consensus about the professional standards that help define that duty. This increases the costs and difficulty in bringing a lawsuit.

More significantly, any claimant will face considerable challenges in establishing the necessary causal link between the translation client’s mistake and the ultimate loss suffered by the translation client or user. This is because legal translation is itself a collaborative process between the translator and the lawyer.

Any mildly competent lawyer will understand that the task of legal translation is virtually impossible. The ideal legal translator must be absolutely fluent in the source and target languages and must possess a deep understanding of the source and target laws and the differences between them. Recognizing also the complexity of legal writing (e.g., convoluted sentence structure, abstractions, proclivity for passive voice, and archaic language), the immense breadth of the law and its specialty areas, the continuing debate on source text fidelity, and the hard deadlines confronted by lawyers and legal translators, it seems surprising that anyone would be qualified or naive enough to handle these types of translation alone. A collaboration between the translator and the lawyer—indeed a team of lawyers—is really the only way to produce a truly competent legal translation.

Furthermore, the role that legal translation plays in lawyer-client communication obscures the requisite causal link between a legal translator’s mistake and a client’s loss. This is because there is developing law that seems to place the lawyer between the legal translator and the lawyer’s client. This argument follows the logic of recent articles from legal scholars and judicial opinions addressing attorneys’ potential malpractice liability for so-called “legal process outsourcing” (LPO). These articles and decisions reveal how lawyers can be held accountable for client losses caused by independent contractors to whom the lawyers outsourced “non-delegable” law-related work, which their clients had good reason to believe was being handled or at least closely managed by the lawyers themselves. Therefore, it stands to reason that the translation
of legal documents that routinely contain information, upon which the lawyer’s client will rely when making a decision that will determine that client’s legal rights and duties, is the kind of LPO work that needs to be monitored very closely by the lawyer. If the lawyer does not review a translation performed by a legal translator, then the lawyer is likely exposing himself or herself to malpractice liability and would certainly break the “chain of causation” between the translator’s mistake and the client’s loss.

Thus, under a contract theory, a claimant’s damages would most likely be limited to the costs of the translation itself, since the translator can reasonably expect that his or her translation will be crossed-checked by a lawyer who knows the special circumstances of the translation’s use. (The translator will almost never know these special circumstances.) Under a tort theory, the translator’s defense attorney would mold the aforementioned argument into very strong affirmative defenses that the lawyer either assumed the risk (“assumption of risk”) or contributed to the problems (“contributory negligence”) by relying solely on a translator and by not reviewing the translation closely.

The Law as a Safeguard

These legal defenses certainly do not absolve translators from exercising professional care and judgment in performing their translation work, which begins by knowing what they can and cannot handle. There are also numerous other proactive steps that legal translators can take to shield themselves from liability (e.g., use established quality assurance routines, incorporate the business, embed exculpatory clauses and disclaimers into cover letters, etc.). A survey of such additional steps is beyond the scope of this short article. Legal translators should breathe a bit easier, however, knowing that the law itself has some built-in liability safeguards as they meet the challenge of translating legal documents for potentially litigious clients.

Notes


A legally enforceable contract will be formed if the translator and the client simply agree that the translator will translate a source text in exchange for certain defined compensation.
I have found that interpreters generally desire greater recognition as professionals, better working conditions, and higher rates. I also assume that language services providers would not mind raising their rates for interpreting services (thus benefiting contract interpreters in the process).

While many factors play a role in making this possible, I believe that it is helpful to use the most powerful descriptive language to explain what interpreters do.

The Power of Using the Right Words

Whether you are an interpreter or in a role related to the provision of interpreting services, it is best to paint the most favorable image possible in the minds of clients, prospective clients, and the general public (from which, of course, prospective clients or referral sources can be developed). If, for example, you say that the interpreter (simply) repeats what someone says in another language, what image might come to mind? Maybe that of a parrot. Or, at most, somebody who might not have much education/training, whose job does not require much intellectual ability, and who deserves nothing more than a very nominal wage.

But what if you say that a professional interpreter renders, conveys, or reformulates a message stated in one language into another? Ah, what a difference! It would seem more likely that a layperson who hears such words will think that a professional interpreter performs a cognitively demanding, intellectually challenging task, to say the least. Frankly, whom would you be more willing to pay well and treat well? Somebody who will repeat what I say in another language, or a professional interpreter who will convey the entirety of my thoughts into/from a foreign language without omitting, adding, embellishing, or distorting information? Most likely the latter.

As I mentioned in a 2010 article entitled “Parrot or Professional?”:

It is one thing for a layperson unfamiliar with the technical aspects of interpreting to affirm that interpreters merely repeat what has already been stated. However, as interpreters, we must be cautious not to make such an assertion ourselves. In fact, it is essential that interpreters know how to advocate for our profession by being able to elucidate or at least describe the salient characteristics of the interpreting process.

It is my position that by providing more precise descriptions of their work, interpreters can advocate more effectively for themselves as professionals and put themselves in a better position to be treated as such. I also firmly believe that by describing interpreting in the best possible light, other key language services professionals are in a great position to help interpreters, themselves, and their employers. Specifically, I am thinking of owners, business development specialists, salespeople, project managers, coordinators, and schedulers at language services companies. I am also thinking of institutional interpreter services managers and related
support staff. I extend my most sincere apologies if I have missed any key players in the above description. In all fairness, if you already have mastered the art of describing the intricacies of interpreting in the most positive terms, kudos! If not, there is no time like the present to make changes.

More Reasons to Avoid the Wrong Words
Over the years, I have heard more than a few interpreters and those who oversee them say or imply that interpreters are repeaters, parrots, or interpreting machines. I even heard one interpreter say “your only job is to interpret, not to think.” How would thinking not be involved in the incredibly complex activity of instantaneously or semi-instantaneously listening to a message, converting it into another language, and rendering it verbally on the spot without missing a beat? I would also contend that there is a thought process involved in knowing how to handle the complicated situational challenges often inherent to the work of interpreting.

Furthermore, who in their right mind would pay premium rates, or as much as provide a glass of water, to a wealthiest owner of a parrot would not feed it more than birdseed. Professional interpreters deserve better than that! I know I certainly do.

More about the Cognitive Demands of Interpreting
Now I will become more descriptive as to what sets professional interpreters apart from parrots, for which I have included another excerpt from “Parrot or Professional”:

First, an interpreter must listen to the source-language message and ensure comprehension, “a complex activity that is the product of a complete series of cognitive operations, such as analysis-synthesis, deduction-induction, abstraction-materialization, and comparison.” Given the differences among the syntactical, morphological, and lexical systems of the source language and target language, the meaning of the original message must first be dissociated from the actual words spoken before a target-language rendition can be produced. This is followed by the complex, high-speed mental endeavor of determining which rendition is the most appropriate.

The processing model of simultaneous interpreting proposed by Barbara Moser-Mercer* makes it evident that interpreting is not a linear process, rather a myriad set of complex cognitive tasks including a certain degree of trial and error monitoring.

Finally, an interpreter faces the challenge of orally conveying the newly formulated message into another language while monitoring the rendition to ensure that it makes sense to the listener(s) … Furthermore, “high speech density … [excessively] fast delivery … enumerations … poor sound quality … [and] compound technical terms” add to the challenges of interpreting.

Similarly, the responsibility of preserving the meaning, tone, style, and register of the original message places far greater cognitive demands on an interpreter than mindless repetition of a series of words.

Perception Is Reality: How You Can Improve It
Thanks in part to my interpreting training at the Monterey Institute of International Studies, I learned to say that I render, convey, or reformulate communication from one language into another. In my experience as a practicing interpreter, I have discovered that saying that I render, convey, or reformulate communication interlingually in real time goes a long way toward helping clients, potential clients, and the general public perceive me as a full-fledged professional who deserves to be treated and paid as such.

Certainly, the language used to describe interpreting has a tremendous impact on self-perception. In my own experience, I believe that perceiving myself as a highly specialized and trained professional has helped me obtain favorable rates and working conditions. Along that vein, it is no surprise to me that colleagues whose descriptions of interpreting do justice to this activity are often in the upper echelons of the field.

Obviously, we do not have full control over how laypersons view interpreters and the interpreting process. However, I firmly believe that there is much that we can do to influence said perception positively. To begin with, educate yourself on the complexities of this craft, whether you actually interpret or not. There is a wealth of literature about the intricacies of interpreting available to anyone with Internet access and the willingness to make the effort to become better informed.

As you become better informed about why interpreting is more complicated than it might seem, employ great care as to how you describe it. Carefully weigh what you intend to say, because you do not want to cause misunderstandings. Make sure that the image you paint in the minds of those you are talking to does
the greatest possible justice to all those involved with ensuring that a professional interpreter will facilitate interlingual communication at a given encounter.

For example, if you can explain assertively why an interpreter should not do uninterrupted simultaneous interpreting for more than 20 to 30 minutes at a time, then you are helping do justice to the profession. It never ceases to amaze me how often potential clients and laypersons are surprised when I explain this, but I am not afraid to make this clarification when necessary. Of course, it is important to keep in mind that the way in which you explain this should be customized to your own style. Furthermore, if you can, attempt to speak to a decision-maker without alienating your first-level contact(s).

That said, here is how I might approach such a situation:

**Potential Client:** “We need an interpreter for an all-day hearing/conference/meeting.”

**Me:** “Thank you for your request. Allow me to point out, though, that for lengthy assignments such as this one, industry standards for simultaneous interpreting require that we staff two professional interpreters who can switch off periodically. These standards are based on decades of research and practice, which have proven that after 20 to 30 minutes of performing simultaneous interpreting, even the best interpreter’s accuracy levels decline drastically.”

**Potential Client:** “That’s outrageous! The last time we had an interpreter for an all-day hearing, he was perfectly happy to work on his own and never asked for a break.”

**Me:** “I understand your concern. Unfortunately, though, there are interpreters who will work under any conditions and cut corners just to get an assignment, even at the risk of causing potentially costly, damaging miscommunication. But it was wise of you to contact us this time around!”

**Potential Client:** “But two interpreters will cost us twice as much!”

**Me:** “Understood. Still, I invite you to consider three key points. First, many entities that use simultaneous interpreters strictly enforce the two-interpreter policy, such as federal courts, international organizations, and leading language services providers. Second, as with any other professional service, you get what you pay for, and trying to do this on the cheap can cost you dearly. Third, because of our standards of excellence, and those of our carefully selected interpreters, we have become the preferred interpreting provider for [names of your well-known clients].”

**Potential Client:** “Okay. Let me talk to my supervisor about this.”

**Me:** “Great idea. In fact, might I suggest that you include us in a conversation with her?”

Those of us who have navigated challenging situations such as the one above know that we cannot always persuade everyone to understand the soundness of our arguments. But, by dispassionately negotiating with those we are attempting to win over, as Stuart Diamond so artfully advises in *Getting More*, we can increase our batting average.6

By providing more precise descriptions of their work, interpreters can advocate more effectively for themselves as professionals and put themselves in a better position to be treated as such.

More about How to Improve the Perception of Interpreting

If you are a professional interpreter, or aspire to become one, it is very important to hone your speaking skills constantly in your working languages. Being highly articulate is not only essential for the actual work of interpreting, but also for the many instances in which you may have to educate a client, as in the above-mentioned two-interpreter rule explanation.

Focus as much energy as possible on developing or improving proficiency in the core interpreting skills: consecutive/simultaneous interpreting and sight translation. But I believe that it is also particularly important to develop strong consecutive interpreting skills assisted by proper notetaking techniques. This is not just because it often comes in handy, but also because consecutive tends to be the most visible mode of interpreting. Many times, when people have seen me do consecutive interpreting, they are impressed and ask interesting questions about my note-taking techniques. Others have expressed admiration at how I can retain and then render a lengthy statement translingually. In those cases, rarely has anybody insinuated that I am merely repeating what was said. More of the instances in which I have heard the “r” word (i.e., repeat) used in conjunction with consecutive interpreting have been when I have done telephonic interpreting, for the obvious reason that end users cannot see what I am doing and generally are not informed about my background.

But do not get me wrong. There are a number of instances in which not taking notes for “rapid-fire” con-
secutive exchanges works perfectly well. However, it is my contention that there are just as many (or more) situations in which effective note-taking can greatly enhance the interpreter’s recall. Note-taking can also help create an image of the interpreter as an active listener. Few can argue that active listening does not require thinking skills.

**Takeaway**

It should be understood, though, that choosing the right “power” words to describe interpreting is but one of many strategies that are needed in order to elevate the status of this activity. Continual awareness of one’s demeanor and appearance definitely matters. But a strong commitment to education is paramount. Note that I am referring not only to formal and continuing education in interpreting and translation, but also to broad academic training. The latter is of essence for interpreters to understand complex subject matter and convey communication about it from one language to another accurately, as well as to relate adequately to those for whom they interpret.

Once again, personnel directly or indirectly involved in procuring interpreters should embrace the right “power” words and inform themselves further about this exciting craft in order to explain [more] confidently why interpreters convey, render, or reformulate spoken communication interlingually. Accurate descriptions of the rigors involved in the interpreting process are essential to creating positive images in the minds of those who use, request, and/or originate payment for interpreter services. So, as members of the language services profession, let’s apply our wordsmithing abilities toward doing the greatest possible justice to the field of interpreting!

**Notes**


On September 10, 1934, a speech was made in Nuremberg that would change the world forever. Thousands of fanatical German youths stood in well-trimmed phalanxes on Zeppelin Field as an awe-inspiring and eloquent Adolf Hitler brought the 6th Nazi Party Congress to a close.

Hitler had made a series of public appearances that week—his first as the almighty Führer of the German people, who already knew him as their Chancellor. A few days prior, an unlawful proclamation—and landslide plebiscite—had granted him unlimited authority over the country and its mighty army.

Through political cunning and the allure of promises of a far-reaching, invincible empire that was to last a thousand years he had earned the loyalty and obedience of German citizens and soldiers. With his mesmerizing presence this Austrian-born and hitherto ordinary politician, naturalized just two years before, had managed to sway a nationalistic country in his favor. By sheer force of oratory he would soon drag millions of well-meaning Germans into what was to become the bloodiest conflict in human history. Such is the power of words.

Something else happened that day. Across the border, some 500 miles away, radio listeners in France were amazed to hear the message in their own language just as the words were being pronounced in German. Andre Kaminker, an interpreter of legendary renown in the day, had reluctantly accepted to shadow the speech as it came, rendering every word and idea into French equivalents, in real-time. It had never been attempted, and Kaminker himself doubted that it could be done. Somehow he managed, and a new form of communication was thus born. Simultaneous interpreting had been invented.

The significance of that breakthrough could not be appreciated immediately. Soon thereafter, the world plunged into war and the technique lay dormant for another 10 years.

A decade later the eyes of the world once again turned to Nuremberg, as the Allies attempted to bring closure to the senseless conflict and unprecedented genocide Hitler had unleashed on Europe. Twenty-one Nazi officials charged with a variety of offenses and atrocities were brought to justice in what would go down in history as the first war crimes trial of modern times.

As judges, prosecutors, and counselors prepared for the historic case, a practical problem arose. Every testimony and every piece of evidence brought before the court would have to be interpreted from its original...
language into three others. Relying on consecutive interpreting—the traditional oral interpreting technique in which speakers and interpreters take turns—would prove tedious. It would prove risky, too. U.S. Chief Prosecutor Robert Jackson feared that the defendants could use the trial as a platform to justify their wrongdoings and gain sympathy for their predicament. The longer the proceedings, the higher the risk that the Germans would succeed in depicting the trial as a victor’s charade: a tribunal for which no legal framework yet existed to address deeds yet to be qualified as crimes.

The new, untested method of interpreting—which promised to cut the duration of the trial by half—now had to be expanded and perfected. IBM had been experimenting with a “simultaneous telephonic system” and offered its equipment to be pilot-tested at no cost, thereby solving the hardware issue. The challenge of actually making this system work, using students untrained in the new technique to deliver instantaneous interpreting into German, English, French, and Russian, fell to Leon Dostert, who had formerly served as interpreter to General Dwight D. Eisenhower.

The first professionals to be approached about the job objected fiercely to the proposed system. They resented the impersonality of being placed in an “aquarium,” and the inhuman speed required of them. Dostert, however, insisted that the new system was feasible and set about to provide whatever minimum training could be given to translators, lawyers, and judges on how to use it.

On November 20, 1945, the inaugural session of the court was called to order. Aware of the privilege and grave responsibility with which he had been entrusted, Justice Jackson had worked for weeks on his address. He chose his words wisely:

> The wrongs which we seek to condemn and punish were so calculated, so malignant, and so devastating that civilization cannot tolerate their being ignored, for it cannot survive their being repeated.

Once again, a powerful speech had set the tone. With those opening remarks, any hope of a Nazi rebuttal was seriously compromised. Jackson’s eloquent rhetoric held the courtroom spellbound for nearly four hours and successfully framed the trial as “the most significant tribute that power has ever paid to reason.”

Divided into three groups of 12, the interpreters relieved one another every 45 minutes and rendered every word spoken in court into their respective languages, doing their best to capture the subtle figures of speech and the sentiment behind each utterance. To compensate for the overwhelming mental and psychological demands of the job, one day off was offered for every two days of work. A most welcome break after the “never-ending recital of horrors in the courtroom,” remembers Patricia Vander Elst, one of the Nuremberg interpreters. She also recalls how stressful it was to live “amidst a sullen native population in a town that was just a heap of rubble.” After just four months in Nuremberg, she said she felt 10 years older.

Despite their unpreparedness and limited training, these pioneers managed to get the job done and impressed many. Whitney Harris, with the American prosecution staff at the trials, marveled at the new “instantaneous translation” system:

> Whatever was said on an incoming line was instantaneously translated into the other languages by wonderfully skilled interpreters. The interpretations then went into every chair in the courtroom by other telephonic wires, to be picked up through headphones for which a switch was provided to enable the listener to select the preferred language. It was the first time in history that such a system had been used in a judicial proceeding or, for that matter, in any hearing of such length and complexity.

The trial proceeded for another 10 months, setting an important precedent in international law. Of the 21 accused, only three were acquitted. Seven were given prison terms and 12 were sentenced to death by hanging. In his summation to the court, on July 26, 1946, turning to Shakespeare for a powerful analogy, Jackson spoke of the defendants:

> They stand before the record of this trial as bloodstained Gloucester stood by the body of his slain king. He begged of the widow, as they beg of you: “Say I slew them not.” And the Queen replied, “Then say they were not slain. But dead they are.” If you were to say of these men that they are not guilty, it would be as true to say that there has been no war, there are no slain, there has been no crime.

Jackson had managed to establish “incredible events by credible evidence.” For him, the defendants had been given a trial which they, “in the days of their pomp and power, never gave to any man.” Finally, as if to reassure the world of the fairness of the proceedings, he asserted: “The future will never have to ask, with misgiving, what could the Nazis have said in their favor. History will know that whatever could be said, they were allowed to say.”
Indeed, whatever could be said was said and heard in four languages, thanks to the men and women who dared to challenge conventional wisdom and take the hot seat behind the glass, in that far-off year of 1945.

Nuremberg, a city so quintessentially German, had witnessed both the start and end of a vicious war. Like most, it was a war fought with guns and bayonets. And like any other before or since, one triggered and eventually crushed by outstanding speeches. Such is the power of language.

Notes

2. Ibid.


As any Arabic linguist or translator can attest, there is no one “Arabic” language. I am not referring here to the dialects per se, whose regional variations have been the subject of many master’s theses and doctoral dissertations.1 Instead, I am referring to the linguistic phenomenon of diglossia, in which divergent formal and informal forms of Arabic are used depending on a given social situation (e.g., university lecture or family conversation), and which can vary within the dialects themselves.2

**What Is Diglossia?**

The late scholar Charles Ferguson was the first linguist to study diglossia in depth and to provide a scientific and comprehensive definition. In his seminal paper “Diglossia,” Ferguson offered this explanation:

Diglossia is a relatively stable language situation in which, in addition to the primary dialects of the language (which may include a standard or regional standards), there is a very divergent, highly codified (often grammatically more complex) superposed variety, the vehicle of a large and respected body of written literature, either of an earlier period or in another speech community, which is learned largely by formal education and is used for most written and formal spoken purposes, but is not used by any section of the community for ordinary conversation.3

Ferguson’s definition is based on the identification of nine features characterizing diglossic languages through an analysis of Arabic, Modern Greek, Swiss German, and Haitian Creole. These features are:

1) **Function:** In diglossic languages, there is an everyday or vernacular language variety (labelled “L,” or “low” variety), as well as a second, highly formal variety (labelled “H,” or “high”). Each of these varieties has a specialized function. The use of either (or a combination of the two) depends on the social situation. For our purposes, we will use H to refer to Classical Arabic and L to refer to the various Arabic dialects. For example, formal situations, such as a news broadcast or university lecture, would typically require the use of Classical Arabic, while the dialects would be used in informal situations, such as conversations with friends. It is important to note here, as Ferguson does in his later article, “Diglossia Revisited,” that this linguistic situation is not static but dynamic.4 This means that a speaker or writer may use dialectal elements in a formal situation or use Classical Arabic in an informal situation. We will see
an example of the former situation in this article.

2) **Prestige:** Native speakers tend to regard H as superior to L. Of course, from a linguistic viewpoint, the “high” variety of Arabic (or any other language) is not better than the “low” variety.

3) **Literary Heritage:** H is the standard variety of the language. It has a large body of written literature that may have been produced long ago or is currently being produced.

4) **Acquisition:** L is acquired at home as a “mother tongue,” while H is learned in formal settings (e.g., schools).

5) **Standardization:** H has become standardized and is accompanied by strong grammatical scholarship.

6) **Stability:** As Ferguson mentions in the definition on page 19, the diglossic linguistic situation involving H and L is highly stable, having existed for at least several centuries. This is the case with Arabic.

7) **Grammar:** H possesses grammatical categories that L does not. For example, in addition to singular and plural, Classical Arabic has a dual case for nouns, which indicates two of something: e.g., kitāb (“book”), kutub (“books”), and kitābān (“two books”). The dual noun case has virtually disappeared in the Arabic dialects. In addition, H has an inflectional system of nouns that is either reduced or nonexistent in L.

8) **Lexicon:** Both H and L have paired lexical items that are used frequently in both varieties and mean roughly the same thing. The use of one or the other identifies the written or spoken text as H or L. An often-quoted example in Arabic is the verb “to see,” which is ra’aa in H and shaaf in L.

9) **Phonology:** Phonology is a branch of linguistics concerned with the systematic organization of sounds in languages. It has traditionally focused largely on the study of the systems of phonemes in particular languages. A phoneme is the basic unit of spoken language (a speech sound), and is combined with other phonemes to form meaningful units such as words. The actual sound produced is called a phone. (According to the International Phonetic Alphabet, phones are designated by brackets and phonemes by slashes.) According to Ferguson, the phonologies of H and L may be similar (Greek), moderately similar (Arabic), or very different (Swiss German). For example, Classical Arabic has the phoneme /θ/ [th], but this is often expressed in Syrian as /θ/ for words not thought to be borrowed from Classical Arabic. A good example of this is the word, /θaami/ (“second”), which is usually expressed as /taami/.

**Using Diglossia to Develop a Translation Strategy**

From a translator’s perspective, Ferguson’s definition of diglossia highlights two very important points to keep in mind about the Arabic linguistic situation as we develop our translation strategy:

1) Classical Arabic is a highly codified variety of Arabic that is grammatically more complex than its dialects.

2) Classical Arabic is mainly used for formal written and spoken purposes, but not for everyday conversation.

So, what does this mean for translators, who, like myself, translate from Arabic into English, a language that does not exhibit diglossia?

First, it is important to remember that the “difference between most Western speech communities and the Arabic-speaking world is the much larger linguistic distance that exists between colloquial Arabic and the standard language, which forces the speakers to make decisions much more frequently than in Western speech communities.” For instance, regardless of the level of formality involved, we use Standard English when speaking to our friends or to, say, a government official. Of course, we would most likely use an informal register with our friends and a more formal register when speaking to someone in authority. So, the linguistic distance between the informal and formal registers in English is small; both are Standard English, but the formal register tends to be a little more structured.

However, Arabic speakers would most likely use their native dialect when speaking to friends and Classic Arabic when addressing a public official. The dialects and Modern Standard Arabic are not the same language, and the use of one or the other depends largely on the social situation. The linguistic distance between an Arabic dialect and Modern Standard Arabic is much larger than in English. Such languages tend to exhibit a greater degree of variability in terms of the situational use of varieties than non-diglossic languages such as English. This means that translators and interpreters must pay extra attention to the situational use of the language, as well as to the communicative function of the document (i.e., why was it written/spoken, and for whom was it written/spoken?).

**Speaker-Related Information**

For diglossic languages, speaker-related information is very important because it adds more variables that we need to consider when translating or interpreting. This information includes both what the speaker (or author of the text) wishes to convey (such as tone and audience impact), as well as what they may not wish to convey intentionally (e.g., educational background).

The first step in the translation process is to identify these characteristics, as well as any pertinent linguistic features about the text that will
assist us in our task. To get a better idea of how to identify the important linguistic features in a text, the box below provides an excerpt from a speech given by the late Egyptian President, Gamal Abdel Nasser, at Port Said on December 23, 1957.8

After reading this speech, we can identify the following information:

• **Communicative Function**: A speech given on a national occasion (Victory Day) to celebrate the withdrawal of the last British troops from the Suez Canal.

• **Target Audience**: Egyptians of all classes.

• **Specific Points**: The fact that the Egyptian dialect was used is very important and must be expressed in English where linguistically appropriate. Nasser gave this speech on a national occasion where he would have been expected to use the Egyptian dialect.

After we have identified the communicative function of the text and the characteristics of the target audience, the second step in the translation process is to identify specific dialectal features. These have been underlined in the box below in both the original Arabic and the English translation.

The third step involves an analysis of the function of the dialectal features identified in the second step. Here, we should consider if these dialectal elements should be expressed in the target language. Since the example in the box below is a political speech, one might expect it to have been given in Modern Standard Arabic, especially if the target audience was Arabic speakers of all classes. However, this speech is different in that it has elements of Egyptian Arabic, so we must consider if the dialect itself is important. For instance, if this exact same speech had been given in Gulf Arabic, would it have had the same effect? Clearly not. If Nasser had used the Gulf dialect when addressing the Egyptian people on a national occasion, he would have immediately lost his solidarity connection with them. So, as translators, we must try and capture the “Egyptianness” of the dialect in the translation.

In the fourth and final step, we must determine why the dialect was used. We have to decide if what the speaker is actually saying is more important than the dialect used to say it. For example, if someone is giving a police report, she or he will almost always do so in his or her native dialect because it is more natural to do so. In this case, the dialect itself may be less important. That is, the police report could be translated into Moroccan and Jordanian Arabic, and the effect would still be the same—to report a crime to the police. So, in this instance, the information provided is more important than the dialect. In such cases, we could opt to use the semi-formal register when translating this type of report into English. Although context and communicative function must always be taken into account, dialectal elements may not need to be preserved in formal situations where information is being reported (e.g., court testimony), or when the speaker is using the dialect for ordinary conversation between friends and family members.

For example, Nasser could have easily chosen to give his speech in Classical Arabic. However, his conscious inclusion of the Egyptian dialect was done to show solidarity with the Egyptian people in celebration of Victory Day on December 23, 1957. One possible translation of this speech excerpt could be:

Egypt, my fellow Egyptians, despite what we have suffered, we are pursuing the policy of non-alignment … Today, my brothers, we look to the past with its victories … We look to the past with its battles … We look to our past with its martyrs. … This translation captures the “Egyptianness” of the dialect. The underlined words above (i.e., the Egyptian words for “today,” “we look,” and “our”) help to…

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Speech excerpt from the late Egyptian President, Gamal Abdel Nasser

إن مصر الإخوة رغم ما قاسيناها، إننا بنتبتع سياسة عدم الانحياز … النهاردا يا أخواني نصب للماضي بانتصاراته … نصب للماضي بمباركه … تنص للماضي يتاغنا بشهداته …

Egypt, my fellow Egyptians, despite what we have suffered, we are pursuing the policy of non-alignment … Today, my brothers, we look to the past with its victories … We look to this past of ours with its martyrs …
differentiate this dialect from any other dialect. The words themselves, taken together, identify the Egyptian dialect and Nasser as an Egyptian. The underlined words could have easily been replaced with Syrian equivalents, but would not have had the same impact on the audience.

**Do Not Overlook Dialectal Elements**

When translating from a language that exhibits diglossia, such as Arabic, into one that does not, such as English, it is important to analyze each dialectal element individually and to decide if it should be expressed in the target language and, if so, how best to express it. As can be seen in the excerpt of Nasser’s speech, dialectal elements are often lexical items that may not need to be expressed in order to achieve a faithful translation in the target language. However, knowing the communicative function of the speech and the target audience is very important in determining if the extra-linguistic features (i.e., tone and social register) should be captured in the English translation.

**Notes**


5. For more information on phonology, please see the website of the International Phonetic Association (www.langsci.ucl.ac.uk/ipa).

6. Ferguson, 336.


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**We have to decide if what the speaker is actually saying is more important than the dialect used to say it.**

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As promised, we are publishing the 11-year pass rates for 2002-2012, albeit with some months of delay. In 2012, we published the first set of pass rates (2001-2011). Later this year, once all of the reviews and appeals are completed, we will publish the pass rates for 2003-2013.

To describe the results effectively and avoid distortion, we have divided the information into two categories: 1) languages with 40 or more exams in the reporting period, and 2) languages with extremely low volume (ELV), defined as fewer than 40 exams in the reporting period. The following report presents a statistical summary for the program as a whole and broken down by the two categories defined above.

The overall pass rate for the Certification Program from 2002-2012 was 15.33%, which is slightly down from the previous 15.64%. A total of 7,200 candidates (previous period: 7,585) took the exam in 29 language pairs (previous period: 29), and 1,105 exams (previous period: 1,186) were rated “pass.” Of these language pairs, 18 had 40 or more exams over this period. (Note that Polish>English has been suspended since 2009, and is expected to drop into ELV status next year.) The individual language pairs are listed in Table 1 in alphabetical order with the number of exams and pass rate.

As Table 2 indicates, 11 of the 29 language pairs each had fewer than 40 exams over this period. Their combined pass rate is 41.32%. As in the previous year, these language pairs have been combined in the figures shown in Table 2, for the same reasons of unreliable averages and languages not being offered for the entire period. The Italian>English language pair has been sus-

<table>
<thead>
<tr>
<th>Language Pair</th>
<th>Number of Exams</th>
<th>Pass Rate</th>
</tr>
</thead>
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<tr>
<td>Arabic&gt;English</td>
<td>211</td>
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</tr>
<tr>
<td>Dutch&gt;English</td>
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<td>159</td>
<td>23.27%</td>
</tr>
<tr>
<td>Russian&gt;English</td>
<td>156</td>
<td>24.36%</td>
</tr>
<tr>
<td>Spanish&gt;English</td>
<td>1,354</td>
<td>9.45%</td>
</tr>
</tbody>
</table>

Overall into English: 2,833 13.73%

<table>
<thead>
<tr>
<th>Language Pair</th>
<th>Number of Exams</th>
<th>Percentage of Total Exams (7,585 exams given)</th>
<th>Number of Years Offered</th>
</tr>
</thead>
<tbody>
<tr>
<td>Croatian&gt;English</td>
<td>7</td>
<td>0.10%</td>
<td>8</td>
</tr>
<tr>
<td>Danish&gt;English</td>
<td>17</td>
<td>0.24%</td>
<td>11</td>
</tr>
<tr>
<td>Finnish&gt;English‡</td>
<td>1</td>
<td>0.01%</td>
<td>6</td>
</tr>
<tr>
<td>Hungarian&gt;English*</td>
<td>15</td>
<td>0.21%</td>
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<td>Italian&gt;English*</td>
<td>37</td>
<td>0.51%</td>
<td>11</td>
</tr>
<tr>
<td>English&gt;Croatian</td>
<td>13</td>
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<td>8</td>
</tr>
<tr>
<td>English&gt;Dutch</td>
<td>24</td>
<td>0.33%</td>
<td>11</td>
</tr>
<tr>
<td>English&gt;Finnish</td>
<td>13</td>
<td>0.18%</td>
<td>11</td>
</tr>
<tr>
<td>English&gt;Hungarian</td>
<td>23</td>
<td>0.32%</td>
<td>11</td>
</tr>
<tr>
<td>English&gt;Swedish</td>
<td>7</td>
<td>0.10%</td>
<td>2</td>
</tr>
<tr>
<td>English&gt;Ukrainian</td>
<td>10</td>
<td>0.14%</td>
<td>6</td>
</tr>
</tbody>
</table>

Totals: 167 2.32%

* suspended
‡ only offered 1996-2002

Table 1: 18 Language Pairs with 40 or More Certification Exams: 2002-2012

Table 2: 11 Language Pairs with Extremely Low Volume or with Fewer than 40 Certification Exams: 2002-2012
pended since 2007, and has dropped into the ELV category for this period. In addition, Hungarian>English, which had a low volume from the start, has been suspended since 2008. Note also that Finnish>English was only offered from around 1996 (beginning date is unclear) to 2002, so it will not be reflected in the statistics starting next year.

Table 3 below shows the same information as a graph, in the same format as the previous pass-rate article. The dashed horizontal red line shows the mean pass rate of 15.33%, while the dashed horizontal yellow lines show +/- one standard deviation. Each column shows the pass rate and number of exams for each language pair. The graph as a whole shows the continuum of pass rates and allows comparisons to the mean and standard deviation.

The pass rates for the high-volume pairs all fall within one standard deviation, ranging from a low of 7.32% for Polish>English to a high of 30.26% for English>Portuguese. The average of 43.37% for the aggregated Extremely Low Volume languages (2.32% of all exams) represents 11 language pairs averaging two or fewer exams per year. A slightly higher or lower number of passing exams can greatly skew the individual average.

Compared to the previous set of figures, the overall average has declined slightly. Most language pairs’ pass rates (15 of 18) changed by less than two percent. The three pairs with larger shifts are English>German (down 5.17%), German>English (down 2.26%), and English>Portuguese (up 3.19%). These figures will be compared in future years to show trends.

We hope that this year’s detailed information on pass rates will be interesting and useful to our members and potential candidates for the certification exam. In addition to reporting the 11-year average pass rate each year, the Certification Committee is continuing its research on various factors affecting the exams.

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<table>
<thead>
<tr>
<th>Language Pair</th>
<th>Number of Exams</th>
<th>Pass Rate</th>
<th>Average Pass Rate</th>
<th>+/- 1 standard deviation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polish&gt;English</td>
<td>2562</td>
<td>11.40%</td>
<td>15.33%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>328</td>
<td>14.22%</td>
<td>13.37%</td>
<td></td>
</tr>
<tr>
<td>English&gt;German</td>
<td>145</td>
<td>10.88%</td>
<td>10.75%</td>
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</tr>
<tr>
<td>English&gt;French</td>
<td>211</td>
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<td>9.48%</td>
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</tr>
<tr>
<td>English&gt;French</td>
<td>122</td>
<td>10.91%</td>
<td>10.91%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>148</td>
<td>10.91%</td>
<td>10.91%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>283</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>Chinese&gt;English</td>
<td>96</td>
<td>13.75%</td>
<td>13.75%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>377</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>41</td>
<td>14.00%</td>
<td>14.00%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>344</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>615</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>159</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>156</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>123</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>195</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
<tr>
<td>English&gt;French</td>
<td>167</td>
<td>11.40%</td>
<td>11.40%</td>
<td></td>
</tr>
</tbody>
</table>

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Don’t Miss Out! Many of ATA’s announcements, including division newsletters, webinar schedules, and conference updates, are sent to members by e-mail. To be sure that these messages don’t end up in your spam folder, take a minute now to add ata-hq@atanet.org to your “safe senders” list.
A few months ago, I attended a translator and interpreter training session, during which a colleague came up to me, pen and paper in hand, and asked: “So, what is the secret to success?” I was a bit taken aback by this question, as there are no easy answers nor secrets, but I started thinking about her question. If I had to narrow any advice (useful or not) that I have down to very short nuggets, which would they be? I started compiling a list, and the results appear below. These nuggets are in no particular order of importance and are meant for both interpreters and translators.

1. Running a small business is hard. If it were easy, everyone would do it.
2. You are not entitled to be successful.
3. There are no real secrets to success, but start by working hard and by making smart decisions.
4. Do not compete on price. Find your competitive advantage instead. Do not become a commodity.
5. Get a website and a professional e-mail address.
6. Your success will depend on the quality of the relationships you form.
7. The Internet is your friend. Online marketing is mostly free and easy, so use it to your advantage.
8. No translator or interpreter is an island.
9. Have a positive attitude.
10. Avoid making the same mistake twice.
11. Do not start work on a project until you have written confirmation from the client.
12. Play nicely with others.
13. Set realistic goals and make a plan for how you will achieve them.
14. Take an honest look at your skills and improve them.
15. No one lands high-paying clients by mistake.
16. Take feedback for what it is: a valuable gift.
17. Without clients, you have nothing.
18. Be reasonable even when others are not.
19. Think before you send an angry e-mail.
20. Learn to be self-sufficient in terms of information technology and software.
21. Invest in your business by purchasing the best tools, dictionaries, and gadgets you can afford.
22. Keep your personal and business finances separate.
23. Improve your typing speed.
24. When asking others for advice, be respectful of their time and offer to take them to dinner.
25. Translators: read, read, read. There really is no substitute.
27. Do not complain about your colleagues publicly. Ever.
28. Your reputation is the most important thing you have.

Judy Jenner is a court-certified Spanish interpreter and a Spanish and German translator in Las Vegas, Nevada, where she runs Twin Translations with her twin sister. She is a past president of the Nevada Interpreters and Translators Association. She hosts the translation blog, Translation Times (www.translationtimes.blogspot.com).

You can also find her at www.entrepreneuriallinguist.com. Contact: judy.jenner@twintranslations.com or judy.jenner@entrepreneuriallinguist.com.
National Transportation Safety Board (NTSB) Chairman Christopher Hart said this about the investigation into the 2013 crash of an Asiana Airlines plane in San Francisco: “… we have learned that pilots must understand and command automation, and not become over-reliant on it. The pilot must always be the boss.” When I heard this on the radio this week, a big smile appeared on my face. What a perfect illustration of what I would like to share about translators and machine translation (MT)!

Recently, I was invited to represent translators as a speaker at the European Association of Machine Translation conference (www.eamt.org), and I am happy to report that it was a very rewarding event. One of the points in my presentation was a call to put an end to the assumption that post-editing is the only and most productive way to use MT.

You see, I think that we have looked at MT from only one angle—that of post-editing—and judged its effectiveness and desirability from that single perspective. It is no wonder that the majority of professional translators have not embraced post-editing of MT (PEmT). In the PEmT process, the proposed MT is the driving force; it is the agent (or, to use the NTSB chairman’s words, “the boss”), and it objectifies the translator or post-editor, who is reduced to a purely reactive role.

One reason I have been pushing the term “translation environment tool” (TEnT) is that it places the translator in the very center of a process supported by the tools he or she needs in order to work on and finish the translation successfully. There really is no place for post-editing in that kind of environment. Why? Because post-editing merely reduces the translator to another tool.

So, what other ways could there be to use MT? I outlined a few of them as predictions in the May 2012 issue of this magazine, and now—two years later—they seem to be coming to fruition.

One that I have mentioned a number of times is using MT to correct fuzzy translation memory (TM) matches with MT proposals. This is a simple process that can prove to be very powerful. The idea is that if your TEnT can recognize which part of a translation unit is causing the match to be fuzzy (i.e., the “offending” part), and can identify which part in the target unit corresponds to that, then the tool will be able to go to an associated MT engine, get a proposal for the term or subsegment, and replace the “offending” target part.

Figure 1 on page 27 provides an example where the fuzzy match (Die Augen der Katze sind braun) was turned into a perfect match by automatically identifying the “offending” part (braun) and automatically replacing it with the correct term that it pulled from an MT engine. Since, in this case, there were several MT engines connected to the project, there was actually more than one proposal. This becomes apparent when we see that gelb has been underlined.

Chances are you will still have to do some cleanup after that (or you might not be able to use the MT insertion at all), but you can see that this has the potential for a great deal of productivity improvement. In fact, if implemented well, it might even be possible to lower the fuzzy threshold (which most of us probably have at around 85% at the moment) to benefit more from TM content. Tools that presently support this include Déjà Vu X2/3 (this is the tool I used for the example in Figure 1), Cafetran, and Star Transit NxT, but the makers of Wordfast Classic/Pro, XTM, and Wordbee are also working on implementing this feature. (I think if someone were able and willing to implement the same in a Trados Studio app, it would quickly become one of the favorite downloads.)

This is just one example of how MT can be used more productively and in a more translator-centric way. Another translator-centric way of using MT that I have finally understood as a potentially highly produc-
The ATA Chronicle

August 2014

A productive way of using MT is the AutoComplete (or AutoWrite or AutoSuggest, depending on the tool’s nomenclature) feature that Wordfast Classic, Déjà Vu X2/3, and Trados Studio are already offering (in the case of the latter, through some apps from SDL’s OpenExchange app store).

This is how the process works. Rather than presenting MT proposals that need to be post-edited, it is the translator’s keystrokes that prompt suggestions from MT engines—very much along the lines of the translator as the driving force. If, as in the case of the example presented in Figure 2, there is more than one MT engine associated with the project, all of them are polled interactively for matches with the keystrokes that have already been entered. The suggestions are displayed as an AutoComplete tool tip that you can select by pressing the Enter key or with a mouse click.

This is particularly interesting because it shows more than just the complete matches for the whole segment as you translate. It also shows the subsegments, which continue to adjust themselves to what you type. Now, for those among you who read German, you will recognize that none of the suggestions presented in Figure 2 are perfect as a completion for what had already been entered, but the third suggestion comes very close to a possibility, with only the need to change the ending of the verb.

I recently finished a large project where I tested this way of working with MT. I really liked that it saved a lot of time while also avoiding the unfortunate influence of preoccupying the translator’s mind with suggestions (a process with which most of you are familiar from TM and MT). In fact, I found myself more often than not just choosing a few words and phrases here and there from MT suggestions rather than lengthy segments. Still, I know that I was able to work significantly faster.

The example in Figure 2 was done...
using Google Translate, Microsoft Bing Translator, and Systran, but I realize that there is so much more that can be done with such a system.

Here is a case in point. While the European Patent Office (EPO) has chosen to collaborate with Google to build up a version of Google Translate for patent translation (www.epo.org/searching/free/patent-translate.html), the World Intellectual Property Organization (WIPO) strongly rejected that concept and built its own MT engine based on the open-source Moses platform. So far there is only a handful of languages available (English into and out of French, Japanese, Chinese, and German), but it has some features that are really interesting. Especially when you go to its “interactive” edition, you can see a couple of the more advanced features (https://www3.wipo.int/patentscope/translate/tapta.jsf).

In the lower half of the window (which appears once you send a text for translation), you can see that when you select any part of the source segment, a translation for that subsegment is entered into the target pane. Of particular interest, the MT engine not only gives you that one match, but also a list of other possible matches in the dropdown box right under “Proposals.” That is how MT works. For any segment or subsegment, a very large number of proposals is generated, but typically only the one with the highest (interceptal) confidence score is actually used and exposed to the user. The WIPO developers have managed to show us other matches as well.

It would be interesting for translators who want to use a translator-centric MT process to have all of the possibilities—or at least some of them—displayed as AutoSuggestions. The latest incarnation of Google Translate does something similar. While providing the translation for the whole segment, you can click on individual subsegments to see alternate translations. To some degree, Xingzeng Liu, the developer of the free Trados Studio app Google Translate AutoSuggest uses this mechanism (http://bit.ly/google-autosuggest). After you install the app, it looks for your first keystrokes and suggests the translation of the complete segment from Google Translate if it matches the characters you have entered. If your keystrokes do not match the Google Translate proposal or you choose not to use it, it will suggest subsegments according to the subsegmentation that Google Translate has already performed. Unfortunately, it does not also suggest the alternate translations, which would be very nice.

If you do use Google Translate as a translation aid and are a Trados user, you should definitely think about using Xingzeng’s tool. He has found a way to retrieve the Google Translate matches without forcing you to pay for the application programming interface access (enjoy this while it lasts).

While we are talking about Trados AutoSuggest apps for MT access: CodingBreeze’s MT AutoSuggest app is interesting as well (http://bit.ly/MTautosuggest). This works with any MT engine with which you might have associated your project and gives you AutoSuggest proposals for subsegments. It bases the delimitation of those subsegments on things like segment-internal punctuation (including commas, semicolons, etc.) and a certain number of words. It does not yet propose suggestions from more than one MT engine at a time, but I talked to the developers and they promised me that they would work on that next.

So, to come back to the purpose of this column, these two translator-centric ways of using MT have already been implemented in some commercial tools, and others will soon follow. (Laboratory tools such as CASMACAT or MateCat are also experimenting with more advanced MT features, but they are not really in the production phase.) There is plenty that can be done better, and there are plenty of other more creative uses of MT, but what is important in all of this is that we need to stop talking about post-editing as if this were the only way to approach MT.

I am willing to bet that with a tool that has a well-implemented Auto Suggest feature for MT or several well-trained MT(s), professional translators can produce high-quality output in a more productive manner than by post-editing raw MT output from one engine. And they can do that while respecting and utilizing their human translation skills and environment.
Take a Scalpel to Your Marketing Material … and Remove

(Posted by Corinne McKay on her blog, Thoughts on Translation, http://thoughtsontranslation.com.)

Here are a few things you might want to consider removing the next time you review your marketing material.

Vague Blah Blah that Applies to 10,000 Other Translators (Possibly Even 11,000): For example, “I help clients communicate across cultures” (let’s hope so), “Accurate and efficient,” “Detail-oriented,” “Committed to meeting deadlines.” Instead, get specific:

• “In 12+ years of freelancing, I have never missed a deadline.”

• “More than just a word-replacer, I am a key member of my clients’ communications teams.”

• “I regularly decline assignments that are not within my scope of expertise; instead, I concentrate on what I do extremely well.”

• “In addition to working with words, I am committed to working well with people, and my goal is for the translation process to be as painless as possible for my clients.”

I just made those up, and they may not apply to you, and you may not like the style (but if you do, you can steal them). But they are examples of statements that get your specific story out there.

“References Available Upon Request”: Either include testimonials from clients directly on your marketing material, or get this sentence out of there. It goes without saying that the client will ask for references if they want them.

“Objective: Freelance Translation Projects Using Demonstrated Expertise in Japanese>English Translation”: Again, a message from the department of redundancy department. Clearly, the objective of marketing material is to find work, and hopefully you have some demonstrated expertise, or you would be doing something else.

Any Reference to “The Best”: Translation is very subjective. Usain Bolt can safely say that he is “the best” at the 100 meter dash, but you cannot measure translation skill with a clock or a meter stick. Plus, every client’s preference varies. If you want to look at every word in the French document and see a direct equivalent in the English document, I am not your woman, because I like to rewrite more than I like to replace words. Some clients disagree, and that is okay.

Photos of You with Animals (Unless You Are a Vet), or Anything that Looks Like a Selfie: It is surprising how many people’s “professional photos” are anything but. Translator next to a horse? Snuggling a puppy? Cruise LinkedIn and you will find these and more, plus lots of photos that are clearly selfies. To me, a crummy headshot photo is sort of like business cards with the “Get your free business cards at …” logo on the back. It shows that the person is not willing to put forth even the small amount of effort required to do better.

For example, my current headshot was taken by a friend with a nice camera; our local translators association offers discount group headshot sessions every few years. A professional session is absolutely worth it, but there are also alternatives that still look good. Again, people’s preferences will vary. For my own photos, I lean toward a more natural, less posed look. I would not cuddle my cat in the photo, but a little wind in the hair does not bother me, whereas other people prefer a more posed, studio look.

So, is there anything else that should get the axe? Feel free to contact me at my blog with your thoughts.
This bilingual visual dictionary covers a wide variety of topics, “from the parts of a honeybee to the parts of a bulldozer.” Each section (Astronomy, Earth, Vegetable Kingdom, Food and Kitchen, and Personal Adornment and Articles, just to name a few) is between 12 to 60 pages and includes the name of each object in the picture along with the names of its components. The index at the end is organized alphabetically and divided into English and Italian. A list of chapters and subchapters at the beginning offers an overview of the subjects covered. However, while the chapter names are bilingual throughout the dictionary, this list is only in English.

The binding is hardcover, the pages are coated, and the drawings (not photos!) are full-color and really beautiful and detailed. The typeface is also very clear and a pleasure to read, especially considering the small font size. Italian names are set in italics, followed by the gender in superscript, which is a real plus for students learning Italian.

A similar version of this dictionary was already available in Italy thanks to a collaboration between Firefly and the Italian publisher Zanichelli. The Dizionario visuale italiano inglese was issued in 1993. There were no new editions after 1993, just reprints. Here are a few distinguishing features between the Zanichelli and Firefly:

- Zanichelli’s dictionary is considerably larger and heavier than Firefly’s. My feeling is that the relatively smaller size does not affect its usability, as long as the characters and images are clear and all of the same subjects are treated.

- The topics have been reconsidered and arranged in a different way in the Firefly dictionary. For example, in the Zanichelli version, the first page of “The Human Being” chapter includes a plant cell and an animal cell. The placement of these images puzzled me a bit at first, but if you are a student of biology and want to compare the two cells and explain the differences in a foreign language, having the two images located side by side is an asset. In the Firefly version, the plant cell is on page 50, at the very beginning of the “Vegetable Kingdom” section, while the animal cell is on page 66, under “Animal Kingdom, Simple Organisms, and Echinoderms.” While the position of these two items in Zanichelli’s dictionary helps when comparing the two types of cells, the choice of location by the Firefly editors appears more sensible. Still, a quick look-up in the index will help locate the two cells, and flipping through 16 pages to view the two images is not a hard task.

- It is apparent immediately that the images have been revamped in the Firefly version. The illustrations of the cells mentioned above are more colorful and detailed in this version than in the older one, and—more important—the revised images are three dimensional. This makes the images really enjoyable to look at, and we all know how much our visual memory contributes to the learning process, even when learning a language.

**Content**

Each chapter in The Firefly Italian/English Visual Dictionary includes many objects and is rich in detail. For example, when skimming the “Human Anatomy” chapter, it goes from external male and female body parts to the muscles, anterior,
and posterior view of the body. Then, in a similar fashion, the main bones of the skeleton, as well as the skull, teeth, with a cross section of a tooth, are presented. This is followed by an accurate overview of the main parts of each system, from circulatory through digestive to respiratory. However, not all of the terms are listed due to space constraints. Thus, the dictionary could be used by teachers of foreign languages as an interesting resource to enrich the vocabulary of their students. Similarly, the dictionary could be useful to people living in a foreign country who want to find the name of a specific muscle or organ before seeing a doctor. However, I am not sure if the dictionary would really be useful to translators, as most of the terms included are ones that most translators specializing in this area would have mastered already. If more comprehensive information is needed, this dictionary is not going to really help.

**A Few Cons**

The Firefly Italian/English Visual Dictionary is surely an asset when you are in a hurry and those tricky words do not come to mind readily when you need them. It happened to me when translating long lists of food ingredients: I am thinking of the dictionary’s illustrated list of beans (as many as 21) or berries (12, including grapes).

Looking more in detail, some of the sections included in this dictionary puzzled me. When you write a specialized dictionary, the author runs the risk of “padding” it with words that you would find easily in a standard dictionary. In the Firefly dictionary, for instance, I did not see much use in adding the different shades of white and yellow to distinguish between homogenized, goat, and evaporated milk. Or the five shades of yellow-to-green oils (from corn to sesame). Also, I am not sure that the scientific symbols listed on page 426, ranging from Hz to K (Kelvin), are really useful.

**Errata**

I struggled to find errors in this dictionary. Everything I double-checked or knew from my translation activity sounded accurate. It could be that some terms are the official ones and less common among subject matter experts. This is possibly the case, for instance, of the components of the electric guitar, as a connoisseur pointed out to me. However, it is understood that every term we find in a dictionary needs to be double-checked against usage in its appropriate context.

I did spot a few terms that may need attention. For example, on page 145, “phyllo dough” is translated as pasta sfoglia. In my experience, this is known as pasta phyllo in Italy, as phyllo is a different type of dough from pasta sfoglia (a puff pastry). Neither past sfoglia nor “puff pastry” are in the dictionary.

On page 260, “velcro closure” was not translated. The Italian translation has the registered trademark symbol. A more neutral choice, such as chiusura a strappo is also good. On page 259, the entry “women’s clothing” could be enriched with a list of the different types of slips, while we probably rarely need to know what a guanto alla scudiera (gauntlet) is. For professional translators dealing with technical texts of any sort, maybe an overview of some lists, including more updated terms, would be helpful. However, the editors of this version have already deleted older terms and added newer illustrations, compared to the 1993 version by Zanichelli.

**Overall Evaluation**

Overall, The Firefly Italian/English Visual Dictionary is an interesting and useful tool for foreign-language learners. It might be of occasional use for translators who need to look up that word that is on the tip of the tongue (e.g., apex, apice [male noun], page 118).

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Giovanna Massari is an ATA-certified English>Italian translator. She translates texts related to medicine, technology, gastronomy, and wine. She also translates from French>Italian. Contact: posta@giovannamassari.it.

Have an idea for a dictionary you would like to see reviewed? Contact Peter A. Gergay, chair of ATA’s Dictionary Review Committee, at pgergay@aol.com.
ATA Certification Exam Information

Upcoming Exams

California
San Francisco
October 4, 2014
Registration Deadline: September 19, 2014

Illinois
2 Sittings
(AM - Paper; PM - Keyboarded)
November 8, 2014
Registration Deadline: October 24, 2014

Texas
Dallas
September 13, 2014
Registration Deadline: August 29, 2014

Houston
September 20, 2014
Registration Deadline: September 5, 2014

Utah
Provo
(Keyboarded)
September 20, 2014
Registration Deadline: September 5, 2014

Wisconsin
Madison
September 19, 2014
Registration Deadline: September 5, 2014

Argentina
Buenos Aires
September 13, 2014
Registration Deadline: August 29, 2014

Puerto Rico
Gurabo
September 27, 2014
Registration Deadline: September 12, 2014

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Your servant must be slipping. The other day I realized that the word “Kiwanis” has been in my consciousness for decades, but I never once followed my usual mental path of getting curious about the origin and meaning of the word. This is not right, nor is it typical of The Translation Inquirer.

New Queries
(English>French 8.14.1) The concept of “digital first” might require an entire paragraph of explanation in the world of commerce, but it cannot be avoided in this blurb: “At CLX, we recognize that our solution must underpin a fully functional and transactional digital presence across multi-channel platforms and support the Digital First approach required by today’s retailers.” Or at least that is what the writer thought retailers were demanding. What is this trend, and what about the French for it?

(English>Hebrew 8-14.2) Very simply put, “meadowfoam” is a type of harvested plant that a colleague would like to know how to express in Hebrew.

(English>Serbian 8-14.3) “Sound bite”: we hear it, read it, and use it all the time. Conveying it into a language like Serbian might be tricky, though, while still getting across the twin concepts of brevity and superficiality. How would you render it?

(German>Italian [English] 8-14.4) Some sort of penalty is mentioned in this legal text, but what is it? The following sentence contains the problem word in bold: Eine Aufsichtsmassnahme kann für den Fall der Nichtbefolgung mit einer Ungehorsamsbusse bis maximal CHF xxx verbunden werden. The penalty is evidently more than a slap on the wrist.

(English>French 8.14.5) Tiefziehen is a well-known processing technique, but what, asks a colleague going into Portuguese, should be done about Tiefziehverpackung when the context involves food and drink?

(English>Spanish [German] 8-14.6) Breaking down an apple into its component parts, and providing nomenclature for each, might not be nearly as fun as eating it, but nomenclature words exist and cause problems when translated. How would you render the concept of Kelchzipfel into Spanish (or English) when the word is paired with Kelchgrube?

(Italian>English 8-14.7) Knowledge of materials humans used in antiquity will prove valuable for this query. Ceramica listata is listed in a document as the kind of material used to fabricate an ancient vase. Perhaps artisans still employ it wherever an authentic old look is wanted, but what is it?

(Italian>English 8-14.8) In a text concerning infant apparel, the concept of modello scarpa due fori proved difficult for a colleague. Help her out by tackling this: Modello due fori per una calzatura tipicamente leggera ed estiva con Velcro a facilitarne la calzata. Si tratta della scarpina tipica de bambino con due fori somiglianti a gocce sulla punta. Non riesco a trovare il corrispettivo il Italiano.

(English>Polish 8-14.9) This query concerning real estate law comes down to two difficult words: dobra szlacheckie. The words appear in the following: właścicielka dóbr szlacheckich, wpisanych niegdyś w księdze wieczystej xxx tom 1 prowadzonej dla nieruchomości położonej w miejscowości xxx.

(Romanian>English 8-14.10) This query has to do with mechanical engineering, and the difficult words are pregătitor and completator. Here is some context: Recepția pieselor se face de către o persoană special instruită (pregătitor – completator) și/sau de către maistrul de schimb/șef de echipă, care semnează de primire – predare documentul de la pet. 4.1.1. What are they?

(Spanish>English 8-14.11) When non-financial contracts are breached, there could be such a thing as promesa de permuta mixta futura, as appears in this phrase: Protocolo de contrato marco de promesa obliga-
The last four words in bold are the problem.

(Spanish>English 8-14.12) Report cards, transcripts, résumés, and diplomas present an endless stream of problems in this query involving an Ecuadorian military school grade transcript. A list is given of subjects and grades, and then an asterisk appears next to this: Estas asignaturas originan el promedio de la Materia de Inglés. What is that all about?

Replies to Old Queries
(English>Russian 3-14.4) (pendent lite relief): This, says Leonid Gornik, is “relief pending litigation.” It is Latin, where “lite” means “litigation.” It can provide some relief to the divorcing parties while they are waiting for an outcome of the upcoming divorce litigation, since certain matters can be resolved before the court hearings.

(German>English 5-14.7) (Stanzniet): Helmut Thiemann uses “self-pierce rivet” for this. It is a unique fastening technology, and the manufacturers of fasteners that specialize in this can be found by simply going to Google.de. Susana Sherman would render this as “rivet.” She backs up her word choice with a source: http://mymemory.translated.net/t/German/English/stanzniet.

(German>English 9-13.5) (nach Vorliegen der 3 ausstehenden Sputumbefunde): Imre Takacs gives a thumbs-up for Ilse Andrews’ explanation of this in the June 2014 issue.

(Spanish>English 6-14.8) (se presentó excepción de prescripción): Dolores Gordon states that this means “a defense appeal was filed based on the statute of limitations” (or time limits due to something). Something was not done within el plazo (tiempo) prescrito por la ley, and the writers of the document have no knowledge about the higher court’s decision. Paul Coltrin’s take is that excepción is an argument put forward by the defendant against the validity of the case. As a whole, the phrase says that a motion was brought by the defendant to have the case dismissed on grounds that the statute of limitations has expired.

Melissa Mann says this is straightforward Spanish legalese: “to file a motion to dismiss based on the statute of limitation.” Using “defense of prescription” would be recommended only for places where civil law terminology is employed more regularly, as in Louisiana. Celeste Klein Malone says this is sufficiently straightforward (“a state of limitations defense”). The Wikipedia entry for “state of limitations defense” uses this translation in the Spanish section.

Thanks to all of the contributors, and please enjoy what remains of the summer. As always, thanks are due to Per Dohler for proofreading this column. Once again, this column is less than a thousand words, but just barely.

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- Attend ATA’s Annual Conference, Chicago, Illinois, November 5-8, 2014 (www.atanet.org/conf/2014/attend.htm)
Another Book about Humor and Translation

Translation, Humour and Media is the companion volume to Translation, Humour and Literature, the book discussed in the July column. Both were edited by Delia Chiaro and published in 2010 in Great Britain by the Continuum International Publishing Group, now part of Bloomsbury Publishing.

The very first introductory article by the editor describes some of the drastic changes that can occur when a TV show undergoes cultural as well as linguistic transformation. For example, in the TV show The Nanny, the title character was a Jew from Queens, New York, but in the dubbed Italian version she became a Catholic immigrant from Italy with an accent marking her as a native of the Lazio region south of Rome.

Thorsten Schröter, in an article titled “Language-Play, Translation and Quality—with Examples from Dubbing and Subtitling,” gives what he calls the “most successful English-language pun in terms of structure … and surprise effect that I have encountered so far”:

Time flies like an arrow.
Fruit flies like a banana.

This pun, attributed to Groucho Marx, features two words, each with two different meanings and two different grammatical functions. When spoken, the differences in grammar can be indicated, or not, by stress and pitch. Unfortunately, as for many other jokes in the book, no translations are given.

Speaking of Groucho, there is an entire article, “On the (Mis/Over/Under) Translation of the Marx Brothers’ Humour,” by Adrián Fuentes Luque. This topic was previously discussed in the April 2013 column. Here is a typical speech, cited by Luque, made by Groucho in Animal Crackers (1930), “loaded with puns and cultural references”:

I bagged them [six tigers]. I … I bagged them to go away, but they hung around all afternoon. They were the most persistent tigers I’ve ever seen. The principal animals inhabiting the African jungle are Moose, Elks, and Knights of Pythias. Of course you all know what a moose is, that’s big game. The first day I shot two bucks. That was the biggest game we had. As I say, you all know what a moose is? A moose runs around the floor, eats cheese, and is chased by the cat. The Elks, on the other hand, live up in the hills and in the spring they come down for their annual convention. It is very interesting to watch them come to the water hole. And you should see them run when they find that it’s only a water hole! What they’re looking for is Elko-hole.

Once again, no translations are given. Luque does give the dubbed Italian translation for the visual pun occurring in Horse Feathers (1932) when Groucho looks for a seal to stamp a document and Harpo brings him a seal, the animal. Instead of looking for a seal, the Italian translator had the brothers trying to concentrate: Dobbiamo focalizzare; the visual pun then relies on the fact that the Italian word for “seal” is foca.

The Marx Brothers’ movies were subject to much censorship, from foreign distributors and sometimes even from their own film studios, because of sexual innuendo, political satire, and Jewish humor considered to be controversial or simply incomprehensible. One way the foreign versions were censored was to omit subtitles from controversial material and to rely on the inability of non-English-speaking audiences to understand the dialogue.

In addition to an article about the films of the Marx Brothers, Translation, Humour and Media includes one on the films of Woody Allen and their many cultural references. One example in “Woody Allen’s Themes through his Films, and his Films through their Translations,” by Patrick Zabalbeascoa, is a line from the film Husbands and Wives (1992): “Triumph of the Will was a great movie despite the ideas behind it.” Zabalbeascoa cites with approval the dubbed Spanish version, “El Triunfo de la Voluntad era una gran película aunque se desprecien las ideas nazis que contiene,” because it incorporates a footnote as to

Information and Contacts

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which ideas are being discussed. He cites with disapproval the subtitled Spanish version, “Triumph of Will [sic] era una gran película a pesar de su ideología,” both because there is no such footnote and because there is no reason to maintain the English title of the film because it is a translation of the German Triumph des Willens.

It is hard enough to translate from one language into another, but what if the audience is bi- or even tri-lingual, and certain material is best translated into one language and other material into another? “Translating Audio-visual Humour: A Hong Kong Case Study,” by Yau Wai-Ping, discusses dubbing and subtitling for Hong Kong audiences, many of whom know at least a smattering of three different languages: English, which is a prestige language; standard Chinese, which is also a prestige language; and Cantonese dialect, which is not a prestige language. Colloquialisms and sex jokes are often translated into Cantonese even when most of the translation is into standard Chinese.

No book about media would be complete without articles on advertising and comics, and Translation, Humour and Media includes both. “That’s Not Funny Here: Humorous Advertising Across Boundaries,” by Charles S. Gulas and Marc G. Weinberger, cites an ad for Absolut Vodka for which the Swedish manufacturer later had to apologize. The ad showed an 1821 map of North America, with the entire Southwest, from Texas to California and several points north, still part of Mexico. Though the ad ran only in Mexico, many people in the U.S. saw it and were infuriated that the ad seemed to be advocating a return to Mexico of land that many Mexicans, and even some U.S. citizens, still consider to be stolen.

In “Humour in Translated Cartoons and Comics,” Federico Zanettin shows, among other examples, a cartoon in which a man looks into the suction end of a vacuum cleaner and states, as if speaking to someone inside it, “You’ve got to stop living in a vacuum.” A proposed Italian translation is, “dovrei aspirare a qualcosa di meglio [you should aspire to something better],” which plays on aspirare [to aspire] and aspirapolvere [vacuum cleaner]. Zanettin, like Christie Davies in the book discussed last month, largely dismisses theory as a guide to actual translation, but, unfortunately, only after devoting several pages to theory.

And then there is sex, a subject which can come up in various contexts. For example, Carmen Mangiron, in “The Importance of Not Being Earnest: Translating Humour in Video Games,” describes Quina, a character in a video game in the Final Fantasy series, as “some sort of strange looking two-legged hippopotamus wearing a chef’s hat and a big apron,” whose “long tongue is always hanging out of its mouth.” In the original Japanese, Quina’s gender is unspecified, and in English Quina is “s/he.” In Spanish this would not work, as every noun, pronoun, and adjective would require both masculine and feminine endings. And so, in Spanish, because of Quina’s appearance and the fact that Quina ultimately marries a male character, Quina becomes female.

Since one of the themes of the American TV series Will & Grace is sexuality, a translator, and also someone who writes about the show, can reasonably expect to find sexual content. But if they look too hard, they may find it where it does not exist. For example, Roberto A. Valdeón, in the article “Dynamic versus Static Discourse: Will & Grace and its Spanish Dubbed Version,” cites the line, “Jack, C-3PO is not gay, he’s British.” This is a funny line. The robot C-3PO from the Star Wars movies frequently acts in a mannered, overly fussy way that vaguely resembles a stereotype of homosexuality, and for this behavior to then be identified as foreign (i.e., non-American) rather than homosexual is funny because it stereotypes Americans, not homosexuals or the British. Nonetheless, the Earl of Grantham and his family and the many American viewers of Downton Abbey to the contrary notwithstanding, Valdeón asserts:

In American English, at least, the standard British accent is perceived as affected and used to characterize gayness.

Later in the same article, Valdeón cites the sexless line, “Who knew I could do that?” which Jack says after he has thrown a ball in a game. Somehow, in Spanish the line becomes “¡Pero qué bien se me dan las pelotas!” in which the balls in the game have turned into testicles.

I will close with a bilingual pun from the introductory article by Delia Chiaro:

Why do the French have only one egg for breakfast?

Because one egg is un oeuf.
29. Your time is the only resource you have.

30. Stop talking about yourself. Ask questions instead.

31. Educate your clients about what you do without wagging your finger.

32. Tread lightly when correcting source texts. Be respectful with your comments.

33. You earn others’ respect by providing high-quality work and by being helpful, friendly, and kind.

34. If a client corrects you during an interpreting assignment, stay calm and be professional.

35. Surround yourself with positive and good people.

36. Invest in your professional development by attending conferences, workshops, and webinars.

37. Volunteer your time. Learn to give before you expect others to give things to you.

38. Take care of your eyes and look away from the computer for 20 seconds every 20 minutes.

39. Exceed your clients’ expectations by going the extra mile.

40. Send holiday cards and/or gifts to clients.

41. Keep a list of customer preferences. Become a customer concierge.

42. Keep all of your client files organized and back up your computer every day.

43. Contribute to a retirement fund.

44. Take care of your health and exercise.

45. Do not use your client as a sounding board.


47. Go to at least one networking event a week (or a month: whatever works), even if you do not feel like it.

48. Be humble. Every great translator and interpreter can learn from others.
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