

TRAINING COURT INTERPRETERS IN THE CZECH REPUBLIC

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In this short paper I would like to inform you about the situation in the Czech Republic as far as the legal translation and its quality is concerned. Unlike the arrangements in other countries, we do not distinguish between the activities of a court interpreter and a legal translator. The principal legal provision, Law No. 36 of 1967, speaks only about interpreters and expects them to accept the duties and obligations of both interpreters and translators. It is therefore a paradox that for the most part, their activity does not concern interpreting, but mainly, up to 80 to 90 per cent, translating.

Another interesting feature is the fact that interpreters, sworn in accordance with the above law, are authorised to put their signature and to their interpreter's clause, their seal containing – as a symbol of authority – the national emblem in the same way as, for example, a notary public or any other authority does, which is the case, as far as I am informed, neither in Germany nor in Austria. The written (typed) translation must be attached to the original document by a string and stamped by the interpreter's seal. The interpreter's clause must contain the number under which the interpreter concerned is registered at the court, the address of this court, but neither his address, nor his telephone number are included.

Law No. 36/1967 (Gazette) demands, as a precondition for appointing a court interpreter, the passing of specialized training provided, however that such training has been established and exists. As a matter of fact, during the almost thirty years for which this Law has been enforced, no such training has been established, which for all practical purposes implies that the court by nominating a court interpreter, does it on the grounds of the candidate merely passing a general language examination (for instance the so-called State Examination) and relies usually only on recommendations of public institutions. Accordingly, the quality of the individual interpreters was, and still is, highly varied.

Within a very short time after the political changes in our country in November 1989, in April 1990, to be precise, the Union of Interpreters and Translators (JTP) was set up and at present associates some 500 member interpreters and translators of all orientations in the Czech Republic, and about 100 members in the Slovak Republic and elsewhere all over the world.

Within the Union a Court Interpreters' Section was set up in January 1993, and immediately started negotiations with the Ministry of Justice with the aim of improving remuneration for the work done by court interpreters for the authorities of the Ministry of Interior (police forces and institutions) and for the Ministry of Justice (courts of law). Until then, this remuneration had represented only 25 Czech crowns (Kč) for each hours of interpreting, Kč 20 for one page (30 lines) of translations from a foreign language into the Czech language and Kč 30 for translation from the Czech language into a foreign language. The effort of the Union and later of its Court Interpreters' Section was crowned with success. By Decree No 77/1993 (Gazette) of the Ministry of Justice, the remunerations were increased several times, ranging now from Kč 75 to 125 for each hour of interpreting and from Kč 75 to 125 for cache page of translation without any regard to the target language, i.e. the translation into the Czech language from a foreign language is awarded in the same way as a translation

from the Czech language into a foreign one. If the work done, especially interpreting, is accomplished at night time (between 8.00 p.m. and 6.00 a.m.) the fees to be increased by 50 per cent, and the same applies to work done on Saturdays and Sundays.

Having achieved the above important improvement in remuneration for interpreting and translation done for the authorities, with the tariff still amounting to only about one half of the rates and fees charged for work done for the general public, including private companies, the Court Interpreters' Section initiated an effort towards upgrading the quality of court interpreters' output, at least to some extent at the initial stages, by launching a programme called "IUSLINGUA" in the framework of which the most frequently used terms would be summarised. The whole system is composed of twelve groups of terminology based on practical experience of the members of the section. These groups concern:

1) civil law, including family law and matter related to inheritance, ownership titles, leasing, tenure, real estate, bargains, interpreting before civil courts, translation of these courts' ruling, particularly in family matters (divorce, adoption, alimony, etc.);

2) commercial law, including companies, contract, trade relations, etc., interpreting of important commercial negotiations, translation of commercial contracts;

3) criminal law, criminal offences, crimes, punishments, fines, interpreting in the framework of police investigations, interrogations, hearing of witnesses, prosecution, criminal courts proceedings, translation of petitions and charges, translation of sentences of criminal courts, extracts from criminal records, etc.;

4) organisation and types of courts, court regulations, court proceedings, courts of appeal and proceedings before them, Code of Criminal Procedure, Civil Code, etc.;

5) institutions participating in the proceedings before different types of courts like public prosecutors, attorneys at law, solicitors, commercial lawyers, barristers, notaries public, etc.;

6) police institutions, internal police (Interpol), police investigations and interrogations, immigration police force, passports and visa, police regulations etc.;

7) traffic rules (Highway Code), road accidents, road signs, interpreting immediately after road accidents, often during weekends and sometimes even at night, translation of traffic police decisions and fines, etc.;

8) state and local administration (municipal offices, registry offices, district offices, state administration offices, ministries, etc., interpreting of the proceedings before the above office, translation of their decisions, certificates of birth, marriage and death, etc.;

9) educational system: here the court interpreters are very often asked to translate school leaving certificates and diplomas of all types of schools and institutions of the educational system, the target languages being both Czech and a foreign language. The focus is on the names of the educational institutions, but also the different subjects, marks, grades, etc.;

10) financial matters, financial institutions, inland revenues service, taxes, customs, banks, insurance companies and the proceedings concerning these matters, i.e. economic and financial issues;

11) labour laws (employment, including the employment of foreign workers, labour permits, matters concerning unemployment, etc.);

12) health service, health care institutions, public health, the environment, health certificates, etc., important for instance when describing the kind and extent of injuries suffered in heavy road accidents, both when interpreting immediately after accidents in the

framework of police investigations, as well as while translating for example, health certificates.

To date, summaries of the groups 2, 3, 4 and 7 have been worked out in the Czech and German languages, and were published recently in our periodical INTERPRETING & TRANSLATION (ToP).

In the coming years this programme is to be implemented, step by step, for both the German and the English languages. The ultimate objective is to publish a special Czech-German-English dictionary as a manual for court interpreters. It may potentially be produced as a data bank using a special software program. For this purpose the individual group, as far as finished, have been recorded on floppy disks.

Preparations and finalising of an agreement are under way with our colleagues from the German Bundesverband der Dolmetscher and Übersetzer (BDU) on cooperation in the development of the Czech-German and German-Czech version of the dictionary.

Also, within the IUSLINGUA system, a collection of specimens of different types of legal documents is planned as an aid for court interpreters. It should contain samples of court decisions and rulings, certificates of all kinds, and other documents obtained in the course of court interpreters' business, avoiding naturally, the particular names and numbers mentioned in these documents.

Based on the IUSLINGUA system and in cooperation with the Faculty of Arts of the Charles University in Prague a specialist course for training court interpreters is being prepared now; it should later be concluded by a special examination before a board of examiners of which representatives of the Ministry of Justice, of the University and of the Union of Interpreters and Translators would be present. The syllabus and requirements of such examination have not yet been determined.

In the training of interpreters, knowledge of the legal systems in the two corresponding language fields is very important. This approach was also one of the assumptions of the basis of which the individual terms were researched for the twelve groups of the IUSLINGUA project. And so, for instance, the Criminal Code of the Czech Republic has been compared with the German criminal law article by article, thereby identifying the corresponding expressions and terms.

In my opinion it is also necessary to stress the fact that when translating legal texts, the knowledge of at least the principal foundations and philosophy of the law of the two areas in question is of a great importance. For this reason court interpreters should, in addition to acquiring linguistics skills, also be trained in the law systems of the countries concerned. In this respect, the Czech Republic does not have any institution capable of providing such training, and it remains up to the interpreters themselves to master this part of their education as well.