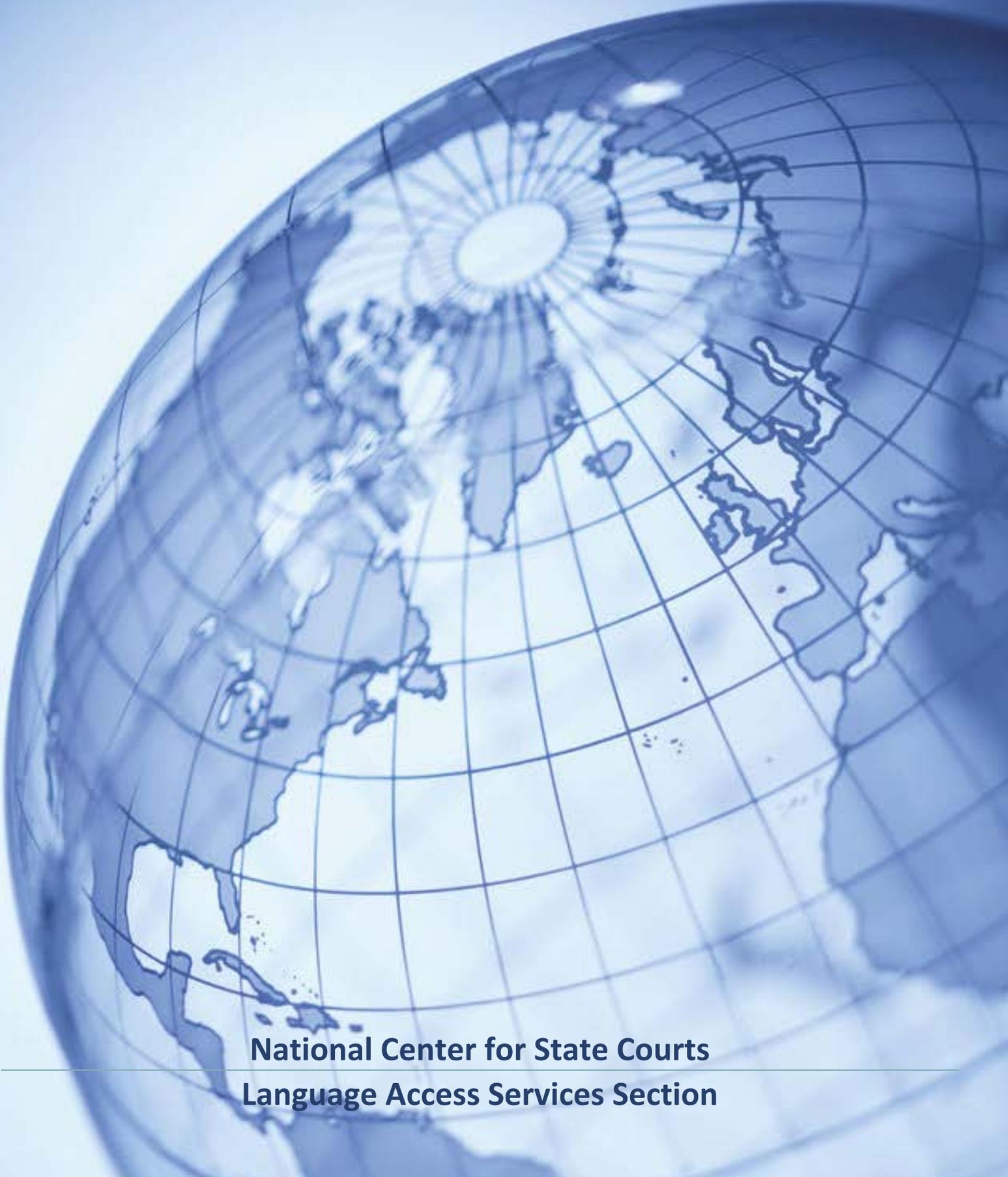


Court Interpreter Oral Examination:
Overview



**National Center for State Courts
Language Access Services Section**



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The contents of this manual are intended to be adapted by state personnel to reflect the state's specific policies and procedures concerning state court interpreter certification oral examinations.

This document has been prepared to help persons aspiring to become approved court interpreters understand what the oral examination measures, how it is administered and scored, and how to prepare for taking the examination. Each examinee should study this overview thoroughly in order to be more fully prepared for the oral performance examination.

The oral examination is only one part of the process for becoming an approved or certified court interpreter. There may be other requirements you will need to fulfill before your state considers you eligible to participate in this examination. Passing this test will demonstrate that you are considered minimally competent to interpret in your state's court system. Passing scores on this examination may or may not be recognized by other states' court systems.

Background

Court interpreting is a sophisticated and demanding profession that requires much more than being bilingual. One must possess high levels of knowledge and fluency in English and the non-English language, a level generally equivalent to that of an educated native speaker of the language. Court interpreters must also possess specialized cognitive and motor skills, have a firm understanding of court procedure and basic justice system concepts and terminology, and be thoroughly familiar with the ethical and professional responsibilities of interpreters in the judiciary.

Court interpreters play a vital role in court proceedings that involve non-English speaking individuals as litigants or witnesses. Your state should have adopted a code of professional responsibility that describes the expectations of the judiciary with respect to what court interpreters must know and be able to do during interpreted proceedings.

It is important that judges have timely access to *appropriately qualified* interpreters to assist them in conducting court proceedings involving individuals who do not speak English, or who have a limited ability to speak or understand English. The objectives of the court interpreter testing program, therefore, are:

- to identify individuals who possess the required knowledge and skills; and,
- to expand the pool of qualified interpreters available to assist the court in the conduct of interpreted proceedings.

Exam objectives, design, and structure

Oral performance examinations are tests designed to determine whether candidates possess the minimum levels of language knowledge and interpreting skills required to perform competently during court proceedings. The tests are substantially similar in structure and content to tests that have been developed by the federal courts. The tests are designed and developed by consultants who have extensive knowledge of courts and court proceedings, the job requirements for court interpreters, and/or advanced training or high levels of fluency in English and the non-English language. These experts may include federally certified court interpreters, judges and lawyers, linguists, scholars, and/or legal professionals.

What does the exam measure?

The test measures language knowledge and fluency in both languages and the ability to successfully render meaning from target to source language in each of the three *modes* of interpreting that are required of court interpreters. The three modes of interpreting include:

- simultaneous interpreting;
- consecutive interpreting;
- sight translation of documents.

In short, the test measures what a court interpreter should and must be able to do to meet minimum professional requirements.¹ In all three modes of interpreting the interpreter must demonstrate the following abilities:

- Ability to speak the non-English language and English fluently and without hesitation;
- Ability to transfer all meaning faithfully from the source language to the target language while interpreting in both the consecutive and simultaneous modes, and while sight translating documents (sometimes called sight interpreting);
- Ability to pronounce the non-English language and English in a way that does not systematically interfere with meaning and understanding.

What is the structure of the oral exam?

The entire exam consists of four parts. All four parts are based on actual transcripts or other court documents and simulate in many respects, actual court interpreting. The four parts of the exam are:

¹See for example, William E. Hewitt, Court Interpretation: Model Guidelines for Policy and Practice in the State Courts (National Center For State Courts, 1995), Chapter 3, "Job Analysis and Position Descriptions for Professional Court Interpreters." Available online: http://www.ncsconline.org/wc/publications/Res_CtInte_ModelGuidePub.pdf

- Sight translation of a document written in English interpreted orally into the non-English language
- Sight translation of a document written in the non-English language interpreted into oral English
- Consecutive interpreting from English into the non-English language and from the non-English language into English
- Simultaneous interpreting from English into the non-English language

Sight translation: English to non-English language

This part of the test simulates an interpreter reading an English document aloud to a non-English-speaking person. The document is about 225 words in length. After instructions are given, the examinee is allowed six minutes to complete this portion of the exam.

Sight translation: non-English language to English

This part of the test simulates an interpreter reading a non-English language document aloud to an English-speaking person. This document is also about 225 words in length. After instructions are given, the examinee is allowed six minutes to complete this portion of the exam.

Consecutive interpreting

This is the appropriate form of interpreting for non-English speaking witnesses, and other question and answer situations involving non-English speaking persons. During this portion of the test, the interpreter interprets English language questions (utterances) into the foreign language and foreign language answers into English. Although the consecutive portion of the examination usually follows the format of “question – answer – question – answer,” there may be times when the cadence changes.

The examinee may ask to have two of the utterances repeated. The consecutive portion is administered by a test proctor who plays the prerecorded courtroom simulation on an audio player.

This part of the examination is timed and will take between 22 and 30 minutes, depending upon the total length of the recording, excluding instructions.

Simultaneous interpreting

Simultaneous interpreting is the appropriate mode of interpreting for many situations interpreters encounter in the courtroom; for example, interpreting for defendants during procedural hearings and trials. This part of the exam consists of an audio recording of a simulated attorney’s opening or closing statement to a judge or jury. It is 800 to 850 words in length, is recorded at an approximate speed of 120 words per minute, and is about seven minutes long. One hundred and twenty words per minute is *much slower* than most ordinary courtroom speech. Most of the passage is monologue speech by one voice,

representing an attorney. A brief section of colloquy by voices representing the judge, other attorneys, or a witness may be included in addition to the monologue. During this portion of the exam, the examinee listens to the prerecorded English passage through headphones and, while listening, interprets aloud into the non-English language. The candidate's interpretation is recorded for later review and scoring by the test examiners. This part of the examination takes approximately ten minutes, including instructions and preparation.

Test rating and scoring

Each exam will be assessed by the number of *scoring units* interpreted correctly.

Scoring units are particular words and phrases that are selected to represent various features of language that interpreters encounter in their work, and that they must render accurately and completely, without altering the meaning or style of speech. The examiners determine whether those scoring units are interpreted correctly or incorrectly. When interpreting into the non-English language, the examiners will consider correct any rendering that would be acceptable in *any appropriate spoken variety of the non-English language*.

It is important for examinees to understand that when the test is prepared, test reviewers try to make sure that the test does not include words or phrases that are used in a way that is peculiar to a particular country or region.

The types of scoring units that are scattered throughout the test include the following:

- Grammar--words or phrases that might be interpreted incorrectly due to an inadequate command of grammar
- False cognates—words that sound or look alike in both languages, but that have different meanings
- General vocabulary—a range of nouns, verbs, adjectives, etc.
- Legal/Technical vocabulary—special terminology frequently encountered in court contexts, such as common legal terms
- Idioms and expressions—words or phrases in the source language which will usually result in lost meaning or nonsense if they are interpreted word-for-word into the target language
- Numbers, names, dates—these must be accurately preserved during the interpretation
- Modifiers, emphasis—adjectives, adverbs, exclamations, etc. in the source language that must be accurately preserved in the target language
- Register/style—words or phrases characteristic of a style of speech (formal, casual, informal) that must be preserved in the interpretation, for example, “yeah” and “yes” mean the same, but make a different impression on the listener

- Position and special function—words or phrases that might be overlooked or left out because of their position in the sentence, such as embedded phrases or tag-ons, or because they are “fillers,” such as false starts, stalls, etc., and
- Slang/Colloquialisms—words or phrases that are slang or colloquial language.

Each portion of the exam has a fixed number of scoring units. There are 75 scoring units in the simultaneous, 90 units in the consecutive², and 25 units in each of the sights, for a total of 50 units. The candidate must score at least a 70% on each of the three³ scorable parts of the test in order to pass.

Each candidate’s test is reviewed by two raters. The raters independently score each scoring unit, and then compare their scores. When a scoring unit is omitted or rendered incorrectly, the raters will place an “X” over that scoring unit (for example, if the scoring unit is June 16, 2019 and the examinee said June 15, 2019, that scoring unit will be marked as “unacceptable”). When there is disagreement between the raters about the interpretation of a scoring unit, the raters consult a *scoring dictionary*. The *scoring dictionary* includes a compilation of interpretations for that scoring unit that have been deemed “acceptable” or “unacceptable” by other teams of raters in the past. If the *scoring dictionary* does not adequately address the disagreement, the raters will turn to reputable bilingual dictionaries and other resources to see if the interpretation would be acceptable in any country where the language is spoken. When there is disagreement that cannot be resolved through discussion or by consulting the *scoring dictionary* or published resources, a third opinion may be sought. The benefit of any doubt always goes to the candidate. In other words, if after discussion and research, just one rater believes a scoring unit is interpreted correctly, the unit is marked as “acceptable”.

Once the raters have rated and discussed an examination, they count the number of unacceptable scoring units and subtract that sum from the total number of scoring units in that section of the test. The result is the total number of acceptable scoring units. The total number of acceptable scoring units and that number, expressed as a percentage, is reported to the examinee. For example, if a candidate had 15 scoring units out of a possible of 75 marked as “unacceptable,” that number would be subtracted from the total number of scoring units, leaving 60 scoring units as “acceptable.” The report to the examinee would illustrate 60 correct scoring units, and the percentage score (in this example, 60 divided by 75, or 80%).

Procedural and mechanical aspects of the oral exam

NOTE: Each state should ensure that this section conforms to the practice in that state.

Candidates who have complied with all the state requirements can apply to take the test and pay any required registration fee (or comply with any other state requirements). This is done

² Tests developed in the 1990s and early 2000s contained 75 scoring units in the consecutive section.

³ Note that some states require a minimum score for each of the two sight translation exercises.

well in advance of the test day. If you have already applied to take the test and paid the fee (if applicable), you should have received notice with this booklet telling you of the testing location, test date, and specific time of your appointment. To take the test, you must show up on time and be prepared to confirm your registration information and your identity with photo identification that matches your registration form. If you do not have a photo identification, you should make advance arrangements with the test coordinator from whom you received your registration form to agree on some other form of acceptable positive identification.

Exam Day

As noted above, you must appear on time at the test site with your identification and test registration confirmation forms. In most cases, there will be a registration clerk or test proctor waiting to confirm your identity and your appointment. Please report to the clerk or proctor as soon as you arrive. After confirming your registration and completing the paperwork required to process your exam, you will be asked to take a seat in a waiting area until a test administrator calls your name. Examinees will be taken to the test room in the order they arrive. Appointments are generally made on a staggered schedule to limit the total sign in, waiting, and test time to no more than one hour. Generally, you can expect to complete the entire process in 60 minutes or less.

When your name is called you will be escorted to the test room by a proctor. *You will not be allowed to bring any briefcases, purses, handbags, gym bags, or other similar personal belongings into the test room. Laptops, tablets, cell phones, calculators, key fobs, watches or other timepieces, or any other electronic devices will not be allowed inside the test room.* In addition, do not try to bring dictionaries, water, paper, pens, pencils, or any other similar items into the test room. After you are seated, the proctor will give you further detailed instructions before the exam begins. You should behave as you would if you were working in court.

What will the examination room look like?

The exam may be given in a room such as a courtroom, a jury room, or a conference room, boardroom, or office. Only you and the test proctor will be present in the room during the exam. Your consent is required for observers to be present.

The administrator/proctor will have a list of individuals to be tested that day and a “script” that he or she will follow to read the instructions. All examinees are given exactly the same instructions. At your seat, there will be a fresh cup of water poured for you, a note pad, and pencils and pens for you to take notes if you wish. On the table, there will be an audio player (i.e., a laptop, .mp3 player, or other audio playing device) and a digital recorder. The digital recorder will record your test and will be turned on as soon as you enter the room. The audio player will be used to play the pre-recorded simultaneous and consecutive portions of the test.

What happens once I'm in the examination room?

The following descriptions apply to the specific parts of the exam.

Sight Translations:

First, the test administrator will hand you a document, written in English, which you must interpret into the foreign language. After that exercise is completed, the test administrator will hand you a second document, written in the foreign language, which you will interpret into English. You will be given six minutes to read and interpret each document. The administrator will inform you that you have two minutes to read the document to yourself to gain a perspective of the contents and the overall meaning. Although you can begin your interpretation at any time, you are encouraged to use that time to familiarize yourself with the document and take notes if it will help you in your delivery. If you haven't begun to interpret the contents after two minutes, the test administrator will tell you that you should begin. At that point, you have four minutes remaining to orally translate the document. This procedure is identical for both documents. The goal is to render an accurate rendition of the document in a fluid, smooth manner, avoiding hesitations, false starts, and constant repeats of passages that detract from the listener's ability to comprehend the message.

Consecutive:

The consecutive portion of the exam will be played on an audio playing device. The test administrator will play an utterance of the test and then pause the device. At the pause, you will interpret what was said into the other language. For example, if the utterance represents an attorney asking a question in English, at the pause, you will interpret that question into the foreign language. The administrator will then play the next utterance and pause. Again, you will interpret what was said into the other language. For example, if the utterance is the witness answering in the foreign language, at the pause, you will interpret that answer into English.

You will be allowed to ask for two repetitions during the consecutive portion of the exam. The utterances will vary in length from one word to over forty words. You may not ask for a *part* of an utterance to be repeated or for an utterance to be split into two separate utterances. If you ask for a repetition, the whole utterance will be repeated for you (this can only occur twice during this portion of the exam). You may not ask for clarification of any particular word or phrase.

You are encouraged to take notes to assist your memory. It is in your best interest to keep up with the pace of the utterances, since this portion of the exam is timed. If you take long, detailed notes, try to write everything that was said before you begin your interpretation, or if you deliver more than one rendition of your interpretation of utterances, you are likely to run out of time. If you run out of time, all of the scoring units from the point where you ran out of time to the end of the consecutive portion will be counted as incorrect. If you give more than one rendition, only the last rendition will be scored by the raters.

Simultaneous:

The simultaneous passage has been pre-recorded. After a brief introduction by the test proctor, you will put on a set of headphones. You will hear a brief introductory message on the recording before the simultaneous portion begins. As you listen to the introduction, you will have the chance to make sure the headphones fit comfortably and to adjust the volume. Then, when the test begins, you will interpret out loud in the simultaneous mode everything that is said into the non-English language. You may sit or stand during the test. However, if you choose to stand, you should speak loudly and clearly so that your interpretation is recorded adequately, and bear in mind that your movement will be restricted by the length of the headphone wires. Once the simultaneous portion of the exam begins, you are not permitted to stop the exam. If you stop during the simultaneous portion, that will terminate the exam. At that point, all scoring units that follow will be counted as wrong. Once the simultaneous portion of the test is over, you will be permitted to take off the headphones and the test is concluded.

After the examination

After the exam you will be asked to leave the testing area without returning to the waiting area. You are not allowed to discuss the exam with any other candidates. One of the sign-in requirements is that you sign a Test Candidate Agreement, promising not to divulge any information about specific language or test items to any other person after you complete the examination.

You will be notified by mail of your exam results. The exam administrator or proctor will give you an idea of how much time will expire between the time you take the test and the time you will receive the results. Your test recordings, test scores, and test-rating sheet will be confidential. Only the test administrators, test raters, and personnel at the National Center for State Courts will have access to these materials. The summary results – whether you pass or do not pass the test – are matters of public record and may be reported in response to any inquiry. The details about your scores may be provided to an official representative of another state upon request, and may be provided to others if you submit a written request for that information to be released.

Please note that candidates will only receive their numeric scores following the exam administration. Candidates will not be permitted to review any actual exam materials, exam content, or exam recordings, including their own recorded exam performance, at any time following the administration of the exam.

Who scores my exam?

For most languages, the exam is scored by teams of two interpreters who have themselves taken and passed a similar certification test, or, in the case of newly-developed examinations,

are academic experts who have participated in the development of a test and who have been trained in the theory and practice of scoring oral examinations. Raters receive specific training and usually have experience in test administration and test scoring. All members of the teams are evaluated carefully to assure that they follow the testing standards established for the examination process.

Suggested “do’s and don’t’s” during the exam

There are several tips that will be helpful to you if you keep them in mind while you are taking the examination. Please study the following suggestions carefully.

DO

- Perform throughout all parts of the oral exam as though you were interpreting in a courtroom. The only times you should go out of this role is between exam sections.
- Concentrate on the source language and your rendition as you go through the various parts of the test.
- Try to interpret any words or phrases that may be unfamiliar to you, as long as you can make an educated guess about the meaning from the context given to you in the passage.
- *Stick with it* in the simultaneous. If you find yourself getting frustrated, or feeling that you are unable to keep up, pause for a second or two to regain your composure and then keep trying! (Remember that you cannot ask the proctor to stop the exam and then start over.)
- During the consecutive portion, use the same grammar “person” that is employed by a speaker. For example, if the witness says in the foreign language the equivalent of "My name is Teresita Salazar," the proper interpretation into English would be, "My name is Teresita Salazar," NOT, "She says her name is Teresita Salazar."
- Conserve the intent, tone, and language level of the source messages you interpret. *If you encounter any impolite words or phrases, slang, or obscene language, interpret them as closely as possible into the target language just as they sound in the source language.* Do not attempt to clean up or change the language of any speaker.

DON'T

- Guess wildly the meaning of a word or phrase that you don't know.
- Allow yourself to get frustrated when you don't know how to interpret a word or phrase. Skip it and keep going.
- Give a string of synonyms for a given word or several interpretations for a particular phrase. If you do this, only the last synonym or phrase you render will be graded, even if you said it correctly on the first try.

Sight Translations:

Take any written materials (for example, newspaper and magazine articles, letters, books, birth certificates, etc.) and, speaking into a recording device, perform sight translations. Evaluate your rendition against the source material. Practice on a variety of subjects and vary the type of material that you use. Continue practicing until you are able to comfortably translate at least 225 words accurately within a six-minute time frame.

Consecutive Interpretation:

Practice your ability to repeat sentences and paragraphs of varying lengths, from one to fifty words. You are likely to find a number of sources for practice materials. For example, your local court reporter's office may be willing to let you have draft copies of actual transcripts, or you may find practice materials on the World Wide Web. If necessary, you can ask friends and family members to create samples of "question and answer" formatted transcripts. Say a segment aloud in the source language (or have a friend or family member read the segment out loud for you), then interpret that segment into the target language. Be sure to vary the lengths of the utterances and practice until you are able, with the use of notes if you are trained in notetaking skills, to interpret long passages. Be sure to record yourself – you may be surprised by the fact that what you actually said was not what you thought you said.

For many interpreters, note taking is extremely beneficial in all modes of interpretation, but especially in the consecutive mode. If you find that you benefit from note taking, develop an efficient note taking system in order to remember relevant names, dates, places, and figures. It is often essential to develop this skill under the direction of an experienced interpreter or teacher. However, the skill you develop will be your own personal method of note taking. Notes might be recorded in the form of simple outlines, charts, diagrams, or graphs. Listing information in the form of a diagram might be helpful while interpreting at a trial during which a particular scenario is repeatedly mentioned. An effective note taking system allows you to concentrate on the ideas and concepts contained in the message, not on taking the notes. It is important to adopt a strategy or strategies that work best for you. Attend as many different kinds of court proceedings as possible. As you listen, practice taking notes that highlight actions, specific information (dates, names, etc.) and legal concepts. Develop your own symbols for the court, the district attorney, the public defender, etc.

Practice consecutive interpretation until you are able to accurately interpret oral passages that are 850 to 900 words in length, with segments of varying lengths, within a 22-to-30-minute time frame.

⁴ Most of the information in this section is adapted from FUNDAMENTALS OF COURT INTERPRETATION: THEORY, POLICY, AND PRACTICE by Roseann Duenas Gonzalez, Victoria Vasquez, and Holly Mikkelson. It is available from Carolina Academic Press, 700 Kent Street, Durham, NC 27701; 919-489-7486, Fax 919-493-5668.

Simultaneous

Before the exam, practice your ability to listen through headphones and interpret out loud as you listen. Practicing silently is not as effective as practicing *out loud*. Being very comfortable with headphones and listening to a reader while interpreting out loud is important.

You should practice in front of other people so that you become comfortable with someone else being in the room, listening to your interpretation. It doesn't matter if the other person is bilingual or not – chances are the test proctor will not be bilingual. The goal is to become accustomed to having someone else listening.

Attend as many different kinds of court proceedings as possible. While you listen, render them silently to yourself simultaneously with the speaker. When you run into a word or phrase that you cannot interpret, make a note of it. When you return home, look up those words and phrases to determine their meaning and the appropriate interpretation of them.

Use television and radio broadcasts as interpreting materials. Interpret them aloud while you are driving or performing another activity simultaneously.

Practice will help you avoid being startled or “paralyzed” by what you don't know or a word you cannot remember. If you become “paralyzed” during the simultaneous portion of the exam, you will miss much of the incoming message.

Shadowing

Shadowing is a basic exercise that will help you strengthen your simultaneous skills. It familiarizes the interpreter with performing two tasks simultaneously.

To practice:

- Have someone record varied paragraph-length passages in English and in the non-English language into an audio recorder .
- Listen to a passage. Then play it again and repeat everything you hear in the same language, staying as close to the speaker as possible.
- Listen to the passage again, repeating it in the source language.

When you reach a point where this exercise is somewhat “easy” for you, increase your capacity by repeating the exercise and writing the numbers 1 through 100 at the same time.

When that becomes “easy” for you, repeat the exercises and simultaneously write the numbers 100 to 1 backwards. With progress, complete the following exercises:

- Repeat the exercise and simultaneously write 1-100 by 5's.
- Repeat the exercise and simultaneously write 1-100 by 3's.
- Repeat the exercise and simultaneously write out a poem you know from memory.
- Repeat the exercise and simultaneously write anything committed to memory such as the Pledge of Allegiance or the Preamble to the Constitution, or the names and telephone numbers of your family and friends.

These techniques are excellent for stretching your ability to *multi-task*. Multi-tasking is an essential part of interpreting. Repeating these exercises will essentially provide your brain with a “workout.”

Other exercises:

Since effective court interpreting requires accuracy and speed, it is essential that you enhance your listening and concentration capabilities.

Listening: Practice your ability to listen through headphones and other mechanical devices.

Listening: Listen carefully to the meaning and concept of the communication rather than the separate words. You can practice critical listening anywhere at anytime.

Concentration: Learn to concentrate on what the person for whom you are interpreting is communicating. Concentrate only on the actual communication without being distracted by external factors such as physical appearance, gestures, etc. Accurate interpretation relies on how well the interpreter understands a message.

Understanding a message requires *intellectual listening*, that is, *listening for ideas*. An interpreter must listen to a message and simultaneously classify the information in the message into a *hierarchy*. An interpreter makes instantaneous decisions about which ideas are central and which are supporting or minor. The following is an exercise that may help build this skill:

- Have someone record several passages of approximately 150 words in English.
- Choose texts representing a variety of areas (a newspaper report about a local crime, a scientific report of the results of research, a passage from a book, etc.).
- Listen to each passage without taking notes. Turn off the audio player. Write down the main idea of the passage. (For example: “Language interpreting performance tests are oral tests designed to determine whether candidates possess the minimum levels of language knowledge and interpreting skills required to perform competently during court proceedings.” Main idea of the passage: oral interpreting tests determine if one has the minimal level of skill required to interpret in the courts.)
- Continue this procedure with all the passages.
- Then listen to each passage again, confirming that the main idea you recorded was, indeed, the main idea of the passage.
- Listen to the passage again.
- Turn off the audio player.
- Note additional specific information that supports the main idea you had originally taken down. (For example: performance exams are oral tests that determine if one has the language knowledge and interpreting skills required to interpret in the courts.)
- Continue the procedure, taking notes and adding to the information until you have written a complete summary for each passage.

You should practice these exercises with another person or a small group of people in order to receive immediate and constant feedback. Practicing with others is a great way to increase

your vocabulary and to be aware when more than one interpretation is accurate and acceptable. All of the exercises mentioned in this section and those that are suggested to you at training sessions are more beneficial when performed interactively.



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