

# NEW YORK STATE UNIFIED COURT SYSTEM

## **ORIENTATION GUIDE** **For Court Interpreter (Spanish) Oral Exam (# 45-788)**



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## **ORIENTATION GUIDE For Court Interpreter (Spanish) Oral Exam**

This Orientation Guide, for the Court Interpreter Oral Exam, is provided to all applicants who have passed the written portion (Part I) of the Court Interpreter (Spanish) Examination (#45-788). Applicants will be scheduled in the next few weeks for the Oral Exam (Part II) which they must pass in order to be placed on the hiring eligibility list.

The following guide gives a brief summary of the work and importance of Court Interpreters to the New York State Unified Court System and describes the format and content of the oral exam. It also provides some suggestions to help applicants prepare for the oral exam.

This guide and the general examination announcement (#45-788) provide all the information applicants need to prepare for the oral exam for the Court Interpreter (Spanish) position in the New York State Unified Court System.

## **I. INTRODUCTION**

Court Interpreters provide a crucial service for ensuring fair and equal treatment of non-English speaking court users in the New York State Unified Court System (UCS).

It is a basic right of all criminal defendants to be allowed to assist in their own defense by being present at their trial and able to understand the court proceedings. The New York State Courts have ruled that criminal defendants who do not understand the English language are entitled to have the proceedings interpreted for them in a language they can understand. Failure to provide an interpreter where one is needed, may render a criminal trial constitutionally defective. Similarly, in civil and family court matters, where a party or witness does not speak English, the court has the authority to appoint an interpreter. New York Judiciary Law § 387 provides for the temporary appointment of an interpreter in any court if the services of an interpreter are needed.

All Court Interpreters employed by the New York State Unified Court System must be proficient in both the English and Spanish languages. Court Interpreters must also be able to provide these services in an impartial manner by adhering to strict professional and ethical standards.

## **II. TYPICAL ACTIVITIES**

The duties of a Court Interpreter vary from day to day and depend on the type of court and its location. Typically, a Court Interpreter interprets in a civil, criminal, or family court proceeding (e.g., arraignment, motion, pretrial conference, preliminary hearing, deposition, trial) for a witness, defendant or a party who does not speak or understand the English language. In performing such functions, Court Interpreters must accurately interpret for individuals who have varying educational backgrounds without changing the *register* (level of language) of the speaker. Interpreters are also responsible for translating written documents, often legal in nature, from English into Spanish and from Spanish into English.

## **III. DESCRIPTION OF ORAL EXAM**

The oral exam is administered to applicants individually by a proctor. Applicants are presented with materials that Court Interpreters typically encounter in courtroom situations on a daily basis. Applicants are required to interpret from English to Spanish and Spanish to English. The oral exam consists of the following six (6) parts:

1. Sight Translation (English to Spanish)
2. Sight Translation (Spanish to English)
3. Consecutive Question and Answer (English and Spanish)
4. One-Voice Simultaneous (English to Spanish)
5. One-Voice Simultaneous (Spanish to English)
6. Two-Voice Simultaneous (English to Spanish)

Parts 1 and 2 are court-related documents and Parts 3 through 6 involve simulated courtroom situations presented in a video-recorded format. Applicants will be cued as to which mode of interpreting should be used (i.e., sight, consecutive, one-voice, or two-voice) for each part of the oral exam. During the period that applicants are interpreting, applicants should speak in a clear, normal tone of voice, since all applicants' responses will be audio-recorded. The duration of the oral exam is approximately one (1) hour.

### **Part 1 - Sight Translation: English to Spanish**

This part of the exam assesses applicants' ability to sight translate from English to Spanish. Applicants are presented with a court-related document in English. Applicants first review the document and then orally interpret the document from English to Spanish. Material used for this part of the exam typically includes excerpts from legal documents or affidavits from witnesses.

### **Part 2 - Sight Translation: Spanish to English**

This part of the exam assesses applicants' ability to sight translate from Spanish to English. Applicants are presented with a court-related document in Spanish. Applicants first review the document and then orally interpret the document from Spanish to English. Material used for this part of the exam typically includes legal documents, witness statements or other material written in Spanish.

Applicants are given the Part 1 and Part 2 documents together. Applicants have five (5) minutes to review the two documents. Applicants are then required to orally interpret the two documents. Applicants are allowed a total of ten (10) minutes to interpret both written documents. The proctor will stop applicants after the 10-minute mark has been reached, even if applicants have not finished interpreting both of the documents. **No** additional time will be allowed. It is the applicants' responsibility to manage their time.

### **Part 3 - Consecutive Interpretation**

This part of the exam assesses applicants' skills in consecutive interpreting. Applicants are presented with a video-recording of a witness being questioned by an attorney. In this video, an attorney is questioning the witness in English, and the witness is responding to the questions in Spanish. Applicants must wait for the question or statement in English to be completed before beginning to interpret the statement into Spanish. When the witness responds in Spanish, the applicant should interpret the response into English. The applicant must continue to consecutively interpret from English to Spanish and Spanish to English. Source materials for this part of the exam include excerpts from transcripts of direct or cross-examinations of Spanish-speaking witnesses during actual trials.

### **Part 4 - One-Voice Simultaneous Interpreting: English to Spanish**

This part of the exam assesses applicants' skills in simultaneous interpreting from English to Spanish. Applicants are presented with a video-recording of one person speaking in English. Applicants are required to interpret from English to Spanish while the person is speaking (simultaneously). Applicants must listen to what the speaker is saying and interpret at the same time, usually at a speed of only a few words behind the speaker (also called "shadowing"). Source materials for this part of the exam include excerpts from judges' instructions to juries, opening statements, or closing arguments of counsel.

### **Part 5 - One-Voice Simultaneous Interpreting: Spanish to English**

This part of the exam assesses applicants' skills in simultaneous interpreting from Spanish to English. Applicants are presented with a video-recording of one person speaking in Spanish. Applicants are required to interpret from Spanish to English while the person is speaking (simultaneously). Applicants must listen to what the speaker is saying and interpret at the same time, usually, at a speed of only a few words behind the speaker (also called "shadowing"). Source materials for this part of the exam include excerpts from victim impact statements or depositions.

## **Part 6 - Two-Voice Simultaneous Interpreting: English to Spanish**

This part of the exam assesses applicants' skills in simultaneous interpreting. Applicants are presented with a video-recording of a dialogue between two individuals in a legal proceeding who are both speaking in English. Applicants are required to interpret from English into Spanish while the individuals are speaking (simultaneously). Applicants must listen to what is being said and be able to interpret at the same time. Source material for this part of the exam includes excerpts taken from transcripts of actual court proceedings. Vocabulary presented in these materials may include some legal and specialized terminology (medical, forensic, etc.).

### **IV. ADMINISTRATION OF THE ORAL EXAM**

The oral exam for the Court Interpreter (Spanish) consists of six (6) parts. The exam is administered individually to each applicant by a proctor who will remain with the applicant throughout the exam. The proctor will ensure that the video and recording equipment is functioning properly and that all applicants are provided the same opportunity to perform under standardized testing conditions. Applicants must be prepared to spend at least one hour in the exam room as there will be no breaks during the exam.

The first two sections of the exam, Parts 1 and 2 (the sight translations), are written documents presented to applicants. Parts 3 through 6 are presented in a video-recorded format with one or two individuals speaking in a simulated courtroom situation. Applicants are informed as to what mode of interpreting they should use before each section is presented.

All applicants must ensure that they can see and hear the video monitor adequately. They must notify the proctor if any adjustments are needed *prior* to the beginning of the exam. Once the oral exam has started, neither the video presentation nor the recordings can be stopped. Applicants should continue interpreting even if some words or phrases are missed. The proctor will record all applicants' responses (audio only). Applicants need to speak clearly into the recording microphone in a normal tone of voice.

Applicants are permitted to take written notes to aid them during the oral exam and the proctor will provide applicants with blank paper for that purpose. However, all notes must be returned to the proctor at the end of the exam and will not have any bearing on the scoring of the exam.

### **V. RATING OF THE ORAL EXAM**

The audio recordings of each applicant's oral exam will be rated by professional bilingual experts. The primary consideration in rating the exam is accuracy. Applicants should strive for thoroughness rather than attempt to summarize the exam material. There are 115 pre-selected words and phrases called "scoring units" that appear throughout the six parts of the exam. Applicants are rated for accuracy based on these scoring units. Raters listen to applicants' exam recordings to determine the total number of scoring units an applicant has interpreted correctly. A scoring unit is considered correctly interpreted if the word/phrase is used at the appropriate register and corresponds to acceptable usage, according to the rater, or is found in a standard dictionary.

As part of the rating process, applicants' overall performance is also rated with respect to fluency, clarity of pronunciation, accuracy and completeness of interpretation (including vocabulary, grammar, idioms, register, etc.) in both English and Spanish across all parts of the exam. To ensure objectivity in the rating process, the ratings are conducted anonymously and neither the raters nor the applicants know the identities of one another.

## **VI. FINAL SCORE AND RANKING**

Applicants must attain a passing score of 70 on **both** the written and oral parts of the exam to be eligible to be hired as a Court Interpreter (Spanish) with the New York State Unified Court System. The written exam is weighted 50% of the final score and the oral exam is also weighted 50%. The final score is based on the combination of these two weighted scores. Applicants passing both exams will be placed on a ranked eligible list that will be used to fill positions throughout New York State.

## **VII. EFFECTIVE COURT INTERPRETING**

There are several important points for applicants to consider to become proficient in court interpreting. These include the following:

### ***A. Register***

Register refers to the level of language used when people are speaking, such as formal, conversational, or slang. Interpreters should strive to maintain the same register as the speaker when interpreting from one language to another. Formal, official language with more complex syntax and vocabulary in English should be put into comparable Spanish language. Similarly, slang or street expressions should be interpreted in the same register. For example, “soplón” should be interpreted as “snitch”, not “informant”, and “maestra” should be interpreted as “teacher”, not “educator”.

### ***B. Idioms***

Idioms or figures of speech should be interpreted to convey their practical meaning, rather than a literal translation. For example, “the apple does not fall far from the tree” should be interpreted as “de tal palo tal astilla”, not as “la manzana no cae lejos del árbol.”

### ***C. Proper Names***

All proper names of persons or institutions should be kept in their original language, not interpreted into the other language. For example “Green County Hospital” should be left in English, not interpreted as “Hospital Condado Verde”; and proper name “Julio Iglesias” should be left in Spanish, and should not be interpreted as “July Churches”.

### ***D. Language Usage***

The language of the speaker should not be corrected or “improved”. If a speaker uses incorrect grammar, profanities, or improper vocabulary, these words should be interpreted exactly as spoken by the speaker.

### ***E. Incorrect Responses***

The responses of the speaker should be interpreted exactly as spoken and not corrected in order to respond to the question asked. For example, if the attorney asks, “At what time of day did this event occur?” and the witness answers, “Jueves”, the interpreter should interpret this as “Thursday,” even though this response does not answer the question.

### ***F. Use of First Person***

The statements made by speakers are always kept in first person. For example, if a witness says, “Yo no comprendo” the interpreter should say, “I don’t understand,” and not, “She doesn’t understand.”

## **VIII. GENERAL SUGGESTIONS FOR APPLICANTS**

### **A. Advance Preparation**

The oral exam requires applicants to demonstrate their interpreting skills in the three modes of interpreting: sight translation, consecutive and simultaneous interpreting. These skills need to be developed gradually and can be improved over time. Applicants may use the following techniques to strengthen their interpreting skills:

- Work on building vocabulary and reading speed in both English and Spanish by reading various types of subject matter and practicing orally interpreting these materials.
- Practice memory-building techniques to improve short-term memory. For example, read a 5- or 6-word sentence, take it out of sight, then practice interpreting the sentences. Repeat this technique with longer sentences.
- Practice note-taking to facilitate retention of numbers, dates, addresses, or other important information.
- Practice sight translation using court forms or other legal documents. Review two documents, one in English and the other in Spanish. After 5 minutes, practice by completing the interpretation of both written documents in 10 minutes.
- Practice interpreting radio or television programs using both consecutive and simultaneous modes of interpreting.
- Watch actual televised courtroom trials and practice interpreting the content.
- Visit a courthouse and observe legal proceedings to become familiar with courtroom procedures and terminology.

There are also many excellent books available on improving court interpreting skills. Check a local public library for these resources.

### **B. The Day Before The Oral Exam**

Take a few minutes to review the information presented in this Orientation Guide. Gather the materials needed for the test site (admission letter, photo identification, and directions for traveling to the test site).

### **C. The Day of The Oral Exam**

Bring all necessary materials needed for the exam. Dress casually; be as comfortable as possible. Plan to arrive to the test site at least 15 minutes early. Allow extra time for administrative procedures. At some locations, applicants may have to go through a magnetometer (metal detector) before going into the test facility. There will be an identification form to fill out prior to the exam. Be prepared to spend at least one uninterrupted hour in the testing room, as there will be no breaks during the exam, and be prepared to spend at least two hours at the test site.

\*\*\*\*\*If you have any additional questions, contact the NYS Office of Court Administration Examination Unit at (212) 428-2580 \*\*\*\*\*