

On Court Interpreting and Language Discrimination

For my final column of the year, I've decided to tackle a perhaps controversial topic that I've been discussing with friends and colleagues in the court interpreting world: language discrimination. Does it exist? How should you handle it? Bear in mind that the following is, of course, only my opinion, but I hope it provides some food for thought by also presenting both sides of the argument. I shall use my own unique situation as a starting point.

I call the phenomenon that I've witnessed native language accent discrimination. Perhaps this is a natural bias that English speakers—or speakers of any language—might have that makes them more likely to identify with people who sound more like them.

For better or worse, some people who make hiring decisions for court interpreters in the U.S. tend to be native English speakers (think court personnel, lawyers, lawyers' assistants, etc.). And sometimes these individuals might prefer linguists who are native speakers and perfectly fluent in English. If they are simply picking an interpreter from a list, they might choose someone with a non-Hispanic name; or they might choose the opposite, depending on their bias.

Clients have actually told me that I was selected because my name sounds like I'm a native English speaker, which, ironically, I am not. I have also heard the opposite: that I had initially not been chosen because of the fact that my last name is not Hispanic-sounding (and that I was their second or third choice).

This practice may seem unfair, but perhaps it's not any more unfair than the decisions we all make as consumers on a daily basis. For example, perhaps we choose a particular massage therapist because we feel more comfortable with someone of our own gender, or a certain sports medicine doctor because we feel like we can relate better to someone close to our age. Not all biases are inherently evil, and it's good to be aware

Not all biases are inherently evil, and it's good to be aware of them and be able to run a business in spite of it.

of them and to be able to run a business in spite of it.

We could write books (in addition to those already written) and hold entire conferences on this topic without reaching consensus, as there really isn't an easy answer. In general, though, I think the following is true: the idea is to establish communication between, in my case, the English speaker and the Spanish speaker. The English speakers (who are usually those in the power position in court interpreting assignments) want to be able to have stellar interpreting into English so that they can understand what the Spanish speaker is saying. They usually have no way of judging if the into-Spanish interpretation is any good. On the other hand, the non-English speaker wants to make sure that what he or she is saying is being interpreted correctly into English. However, their first priority is understanding the interpreter, as without initial understanding there's no communication.

So, what's more important? Dominance of the source or the target? Both are important, but those who are in a position to hire interpreters for court assignments might have a bias toward interpreters who speak English with a minimal accent, since it makes their own communication easier. On the flip side, I've also heard from clients who specifically look for interpreters who, on paper, seem like native Spanish speakers, because they want to make sure the Spanish side is perfect. Food for thought indeed, right?

In my case, I grew up in Mexico City, yet I do not have a Spanish-sounding surname, my accent is not often detected, and I write well in English. On the other hand, I always score higher on into-Spanish than into-English on standardized interpreting exams.

Bottom line: appearances are deceiving, and someone with the last name of Hernández or Ponce de León might not have spent one day in school in a Spanish-speaking country and may be more English-dominant. That is, of course, fine: there are very few true native speakers of both languages. Clients need to decide who to retain for interpreting services, and language discrimination/bias might influence their decision, but we can't really control that. As professionals, however, we can control many other things, including the impression we make on others and how well we demonstrate our skills and knowledge.

I wish you all a lovely start into 2017 and happy interpreting! 🍀



Judy Jenner is a Spanish and German business and legal translator and a federally and state-certified (California, Nevada) Spanish court interpreter. She has an MBA

in marketing and runs her boutique translation and interpreting business, *Twin Translations*, with her twin sister Dagmar. She was born in Austria and grew up in Mexico City. A former in-house translation department manager, she is a past president of the Nevada Interpreters and Translators Association. She writes the blog *Translation Times* and is a frequent conference speaker. She is the co-author of *The Entrepreneurial Linguist: The Business-School Approach to Freelance Translation*. Contact: judy.jenner@twintranslations.com.

This column is not intended to constitute legal, financial, or other business advice. Each individual or company should make its own independent business decisions and consult its own legal, financial, or other advisors as appropriate. The views expressed here are not necessarily those of ATA or its Board of Directors. Ideas and questions should be directed to judy.jenner@entrepreneuriallinguist.com.