



The Cost of Interpreters Using Interruptions in the Courtroom

By Marianne Mason

Various studies have shown that the manner in which an interpreter renders a witness's utterances may affect how a jury perceives a witness.¹ For example, if an interpreter were to add the pause marker *uh* to his or her rendition of a witness's testimony, jurors could perceive the witness as being hesitant and untrustworthy, which could affect the outcome of a trial. The addition or omission of linguistic markers, such as pause markers (*uh*, *hm*), politeness markers (*sir/ma'am*), and discourse markers (*well*) can change the style and tone of the original. The interpreter's omission of stylistic markers may render a witness's testimony more *powerful* and direct, whereas the addition of these markers may result in a less effective and *powerless* testimony.

A significant cause of additions and omissions is the length and the density of an utterance. Length and density contribute to the cognitive burden that interpreters face. Interpreters often respond to these burdens by interrupting the witnesses. The timing of an interruption, however, may cause the interpreter to add or omit linguistic content. In my

own study of 200 hours of digitally-recorded courtroom discourse featuring 12 interpreters (6 female and 6 male),² I found that the interpreters commonly interrupted the witnesses at three points in discourse: before the end of a com-

Interrupting Before the End of a Complete Sentence or Clause

Attorney: So when you—when you, uh, requested, uh, when you explained this—what you are telling us here is

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plete sentence or clause; at the end of a complete sentence or clause; and after various complex sentences or clauses. The results of the study suggest that the key to a faithful rendition when using interruptions lies in how well the interpreter processes the amount of information received at these three points in the discourse. The following provides a few examples of testimony from the study that feature the interpreters interrupting the witnesses.

that they approved the transfer for you?

Interpreter: *¿Entonces, eh, como nos dice usted, al usted explicárselo a ellos, pues le aprobaron el traslado?*

Witness: *Tomarían eso en consideración. Desconozco si, (They could have taken that into account. I don't know if,)*

Interpreter: Well, I—they must have taken it into account. I don't know if that is it, the case—

In the example above, the interpreter imposes her own segmentation to the dialogue and chooses to interrupt the witness at what could be described as an inopportune time in the witness's testimony. The witness has not finished uttering the phrase that is to follow “I

Interpreter: I have an associate's degree in industrial engineering and—

Witness: —*Y un bachillerato en gerencia de materiales.*

Interpreter: And a bachelor's degree in materials management.

In this case, the attorney asks the witness to provide information about

Witness: *En el último caso que se generó de la última transferencia de B ella me indicó que no procedía el crédito y que se iban a comunicar conmigo para ver de que manera iban a proceder—*

(In the last case that was generated from B's last transfer, she indicated that the credit would not proceed and that they would contact me to see how they would proceed—)

Interpreter: In the last case that was generated on the last, eh, eh, transaction, eh, transfer, transference of B, uh, she called me to let me know that the, uh, credit, would—wasn't in order. That wasn't going to, eh, be granted—

Witness: —*Pero nunca recibí la llamada de ellos.*

Interpreter: But I never received their call.

Because an interpreter's memory is heavily taxed during consecutive interpreting, the use of interruptions may not assist interpreters in managing the length of witnesses' utterances effectively.

don't know if,” when the interpreter interrupts the witness. The ill-timed interruption results in the interpreter adding linguistic content to the original that signals her struggle and need to “complete” her rendition rather than the witness's intent.

Interrupting at the End of a Complete Sentence or Clause

Attorney: Could you please give us your educational background?

Interpreter: *Por favor, ¿podría darnos en breve su trasfondo educativo? ¿Su educación?*

Witness: *Sí. Tengo un grado asociado en ingeniería industrial y—*
(Yes. I have an associate's degree in industrial engineering and—)

her educational background. The witness responds that she has an associate's degree in industrial engineering. At the point when the witness is going to connect two complete utterances or sentences, as the conjunction “and” indicates, the interpreter interrupts her. The interpreter, possibly anticipating a lengthy utterance, interrupts in order to manage the amount of information she is receiving. The result is a fairly accurate rendition, with the exception of one omission—the adverbial phrase *sí* (yes).

Interrupting After Various Complex Sentences or Clauses

Attorney: Was credit always given?

Interpreter: *¿Y siempre le daban crédito?*

Here, as the length of the utterance increases, the number of compound sentences also increases. The interpreter responds by interrupting the witness, which results in additions and omissions. These changes to the original correspond to the interpreter's processing capacity being already taxed when he or she decides to interrupt. In this last example, the style and content of the original is affected. In the source language, the witness is direct and does not hesitate, whereas in the interpreter's rendition, the witness's response seems roundabout and unclear.

The Cost of Interrupting the Witness

The benefit or cost of interpreters using interruptions to manage their memory was measured in my study by the presence or absence of key ➡ additions and omissions in the

interpreter's renditions. The linguistic features that were added and omitted most often in my study, and were tested, were those that provided style

interpreters in managing the length of witnesses' utterances effectively. Consequently, the more information an interpreter needs to process, the

tations of the interpreter's prescribed role in the courtroom.



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and tone to the original, including: politeness (*please*); terms of address (*sir*; *ma'am*); pauses (*uh*); and discourse markers (*well*, *now*). The statistical analysis revealed that interpreters:

- Wait, on average, until utterances reach 22 words before interrupting.
- Omit, at a significant rate, those linguistic features that assign tone and style to the original.

The results of the analysis allow for a linguistic and a cognitive interpretation. From a cognitive perspective, 22 words is a substantial amount of information to process when interpreters are expected to observe all the syntactic, semantic, and pragmatic content of the original. Because an interpreter's memory is heavily taxed during consecutive interpreting, the use of interruptions may not assist

higher the odds that he or she will add to, or omit from, the original linguistic content.

If considered from a linguistic perspective, the interpreter's omissions may result in a witness being perceived as more trustworthy than what is intended in the original.³ In studies that examine the effect of testimony style on mock jurors,⁴ witnesses who provided testimony that was void of hesitations and discourse markers, such as *well*, were perceived to be more credible and trustworthy than witnesses whose testimony included these linguistic features. Thus, the interpreter's omission of stylistic content has linguistic and, possibly, legal consequences, since it may change the manner in which a witness is perceived in the courtroom. A change in jurors' perception of witnesses, whether it is positive or negative, may interfere with the legal process and violate the expect-

Observations for Additional Study

In sum, the findings of my study on the bilingual courtroom suggest that the interpreter's use of interruptions to manage the witness's use of lengthy, dense, and complex utterances carries a cost, since in two out of three instances it was not effective in reducing errors. Other techniques, such as note-taking, may be more effective in managing memory and should be evaluated further in the study and practice of courtroom interpreting.

Notes

1. For a more detailed discussion of the role of speech styles in the courtroom, see: Berk-Seligson, S. *The Bilingual Courtroom: Court Interpreters in the Judicial Process*, 2nd edition (Chicago: The University of Chicago Press, 2002); and Hale, S.B. *The Discourse of Court Interpreting* (Amsterdam: John Benjamins, 2004); and O'Barr, W. *Linguistic Evidence: Language, Power, and Strategy in the Courtroom* (New York: Academic Press, 1982).
2. Mason, M. *Courtroom Interpreting* (Lanham, Maryland: University Press of America, Rowman and Littlefield Publishing Co., forthcoming).
3. Berk-Seligson, S. *The Bilingual Courtroom*; and Hale, S.B. *The Discourse of Court Interpreting*.
4. Berk-Seligson, S. *The Bilingual Courtroom*; and O'Barr, W. *Linguistic Evidence*.

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