



Challenges in the light of the implementation of Directive 2010/64/EU

ASSOCIATION OF TRANSLATORS AND INTERPRETERS OF SLOVENIA (ATIS)
Court Interpreter Section
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Challenges in the light of the implementation of Directive 2010/64/EU

- The theme and main focus: Challenges of the Court Interpreter Section of ATIS in the light of the implementation of Directive 2010/64/EU with special attention paid to our CPD programme to be presented in the second part.
- Why this subject?

The EU Directive has profoundly affected the Slovenian situation in court interpreting and legal translation, intensifying communication and exchange on issues in this field. The Directive keeps reminding us of the necessity to move forward and not let the first steps successfully taken in Slovenia during 2012 and 2013, weaken or even die out.

ATIS – Why was it founded?

Association of Translators and Interpreters of Slovenia

Founded in 2014 with a view to providing

- a friendly environment and
- a new perspective

to translators and interpreters in Slovenia who are facing unfair competition and market distortions at a time of economic crisis.

The background for the foundation:

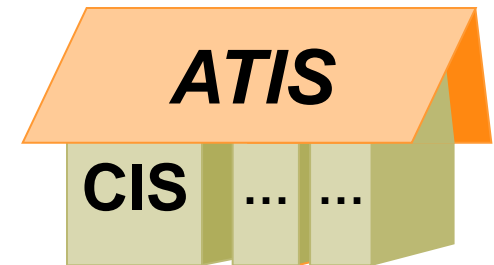
- degradation of language services due to many translation agencies engaged in price-dumping and lacking proper quality enforcement. This is the result of the EU public procurement system favouring large suppliers in all fields, including intellectual services.
- **The mission:** to become a platform for all generations of translators and interpreters where ideas, projects, experiences and innovative approaches can be shared.

Court Interpreter Section of ATIS

Established within ATIS as a special and independent professional unit in order to

- **provide continuity of implementation of *Directive 2010/64/EU*** and focus on further meeting its requirements and
- **bring together, identify the concerns and support the interests of its members.**

The Court Interpreter Section (CIS) works under the roof of its parent organization, living in harmony, democracy and fellowship with other members of the association.



■ Membership

Members of the Association who are certified court interpreters appointed by the Minister of Justice and have accepted to be bound by the provisions of Court Interpreter's Code of Ethics.

Our Code of Professional Ethics is based on the Code of Ethics of EULITA.

■ Mission

To promote the quality of justice through efficiency of court interpreting and legal translation.

We raise court interpreter awareness of the necessary commitment to lifelong learning and equip them, through training programmes, with the proficiency required to carry out translation and interpreting assignments. Thus we ensure the access to justice to all those involved in court and administrative proceedings in Slovenia who do not speak the Slovenian language.

CIS - How do we work?

The legal framework

Two key legal acts governing the work of court interpreters in Slovenia:

- Courts Act (law)
- Rules on Court Interpreters (by-law)

Article 84 of the Courts Act: “Court interpreters are persons appointed for an unlimited period of time with the right and duty, upon the court’s request, to interpret in hearings or translate documents.” The Act treats court interpreters on equal terms with expert witnesses and court appraisers as persons with a special status of public confidence conferred upon them by the Minister of Justice.

The *Rules on Court Interpreters* govern in detail the manner of appointment and dismissal of court interpreters; the certification test; the manner in which court interpreters have to conduct their work as well as court interpreter rates and reimbursement of expenses. They were amended in January 2012 in order to provide for the transposition of the *Directive 2010/64/EU*. Article 29a of the Rules defines the submission of evidence of continuous professional development.

CIS - How do we work?

The regulator (the Ministry of Justice) is responsible for

- **Appointment and dismissal of court interpreters** (act of appointment of a court interpreter published in the Official Gazette of the Republic of Slovenia, with the name of the relevant court interpreter entered thereupon into the National Register of Court Interpreters)
- **Organization of general and specialized orientation training seminars** for the preparation of candidates for certification tests. The certification test includes proficiency testing of the language for which the candidate wishes to become licensed as a court interpreter, and of the candidate's legal knowledge base.

The certification test includes a written and oral proficiency examination.

- **Maintenance of the National Register of Court Interpreters** (as of 12 March 2015, there are 665 court interpreters on the register. The number of active court interpreters in Slovenia will become known only at the end of 2016, when the deadline for submitting CPD certificates expires.

The challenges we face

1. **Provide liaising between court interpreters and legal translators/interpreters**
2. **Support the interests of our members**
3. **Organize training and research legal terminology**
4. **Disseminate information to general public**

The challenges are:

- Interdependent
- Complementary
- Requiring collaborative action
- Equally important

1. Provide liaising

1.1. **Provide liaising** between court interpreters and legal translators/interpreters. The purpose is twofold:

to enable them to learn from one another about their needs and constraints, and to mutually explore solutions for meeting those needs.

1.2. **Connecting our members** enables them to exchange views, ideas and work experiences, identify shared professional issues.

These court interpreter-related issues are then addressed through joint effort and under the umbrella of the CIS which provides opportunity for court interpreters to meet each other in the wider community and not just in their immediate local area.

1.3. **Establish an online mutual assistance forum** for our members.

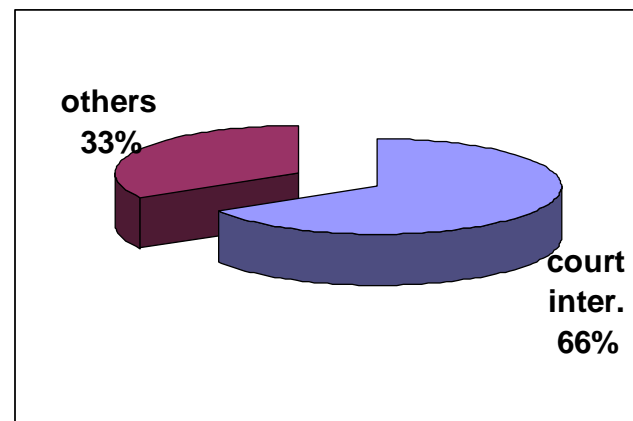
This is a popular and effective source of information and communication between members sharing the same issues and concerns. a kind of message board or online discussion site where our members can hold conversations in the form of posted messages on a number of different topics.

1.4. **Membership drive ...**

1. Provide liaising

- ... **Membership drive:** to attract new members by promoting benefits of the membership and the work that is underway and by encouraging the members to actively participate in this effort. Active participation of members in activities of the association is a key element.

The endeavours have already been amply repaid: more than 60 members have joined the Association to date since its establishment in 2014, of which two thirds are court interpreters. The anticipated number of CIS members by the end of 2015 is 90 court interpreters/legal translators.



2. Support the interests of our members

The CIS's mission is to

- 2.1 Support the interests of our members in relation to the MoJ, the judiciary and other users of our services
- 2.2 Build the professional status of court interpreters
- 2.3 Become a full member of EULITA and represent our members internationally

2. Support the interests of our members

2.1 Support the interests of our members in relation to the MoJ, the judiciary and other users of our services

2.2 Build the professional status of court interpreters

2.3 Become a full international

- issues related to amendments of the Rules on Court Interpreters
- issues related to amendments of the Courts Act
- gradual introduction of the e-signature
- new ID cards for court interpreters (to include also the required quotation of court interpreter's act of appointment)
- the opportunity for prior study of the case-files (to assist them in determining the relevant specific terminology likely to be encountered in a particular case)

2. Support the interests of our members

It is also very important to

2.2 Build the professional status of court interpreters and take every action needed to make the public aware of special skills required by court interpreters.

The goals and objectives: the advancement, protection and benefit of our members. To elevate their status we promote programmes for certification, maintain communication with similar organizations and work with academic institutions and government agencies.

The outstanding issues regarding the new Slovenian legislation related to court interpreter status are clarified through meetings and exchange of letters between the CIS and the Judicial Administration Directorate of MoJ in charge of court interpreter legal issues.

2. Support the interests of our members

Our renewed challenge is to

2.3 Become a full member of EULITA and represent its members internationally. We need:

- collaboration with European colleagues in order to contribute to the organisation and benefit from membership
- comparison with European associations to be able to assess our work and see the possibilities to improve our efficiency.

As a future member of EULITA it is our wish on one hand to exchange ideas, obtain information, discuss current professional issues, receive material restricted to members, and, on the other hand, to share with our European colleagues our own material, glossaries, training modules, scripts, ...

3. Organize training and research terminology

The CIS is committed to a continued work on professional growth and development of the Slovenian court interpreters, under the leadership of eminent law experts, scholars and experienced practitioners, as well as court interpreters of long standing from the membership of the CIS. The challenges are to:

- 3.1 Organize CPD courses
- 3.2 Cooperate closely with academic institutions
- 3.3 Research legal terminology and build specialized glossaries

3. Organize training and research terminology

3.1 Organize CPD courses – to be described in detail in the second part of our presentation

3.2 Cooperate closely with academic institutions – this helps us develop a CPD programme that is relevant and meets the needs of court interpreters and legal translators/interpreters equipping them with the right skills to perform their duties. Cooperation with academia also creates synergies and mutual benefits on a variety of subject matters, most of all on legal base and language-related issues, and offers the opportunity to investigate what might still be needed in terms of new initiatives and programmes. Another important issue is what can our association and university programmes do to attract competent students to translation and interpreting studies.

- The objective is to improve the effectiveness of our seminars that build court interpreter and legal translator capacity to work. The majority of lecturers in our seminars and workshops are university teachers /scholars.
- We cooperate with the University of Ljubljana (Faculty of Law and Faculty of Arts), the University of Maribor (Faculty of Arts, Department of Translation Studies), and the University of Primorska (Faculty of Education).

3. Organize training and research terminology

3.1. Organize CPD courses

3.2. Cooperate closely with academic institutions

3.3. Research legal terminology and build specialized glossaries.

In order to interpret and translate in legal settings an excellent knowledge of legal terms is needed. Terminology from seminars is used to develop, research and compile legal term glossaries for sharing between members. Creating glossaries within the CIS is the result of teamwork of our experienced members. The CIS is determined to gradually make legal glossaries thus compiled freely accessible to any member of the parent association through our website. Presently, the CIS explores advances in information technologies in the field of glossary creation.

4. Dissemination of information

4.1 Disseminate information to the general public regarding the work of court interpreters and the transposition of Directive 2010/64/EU

Informing the public serves both the organization and the public interest. The general public needs to be reminded of various aspects of court interpreting and legal translation/interpreting to better understand the numerous implications of EU Directive. True area of justice that meets the expectations of citizens and offers a quality linguistic support for those involved in the proceedings who are not fluent in the language of the court, still needs to be achieved.

4.2 Hold press releases in the field of public relations

to disseminate publicly the CIS mission and objectives and to report on its events and activities aimed at improving the quality and efficiency of court interpreting and legal translation/interpreting.

4.3 Establish a dynamic website

Our website continues to improve. For the time being it is yet static. Our wish is that by the end of the year we will have a dynamic website which will be easier to update. The key element of the new website will be two search engines, one for looking up profiles of our members, and the other for terminology search. A “members only” sub-page will be added, providing professional information, glossaries, scripts, communications etc.

Organize training and research terminology

- Organize CPD courses
- Cooperate closely with academic institutions
- Research legal terminology and build specialized glossaries

Presentation aim

To outline our CPD modules:

- format,
- topics,
- lecturers.

Experience

In the period **2012 - 2015** the same team organized **16** courses on legal topics:

(approximately 700-800 people attended our courses)

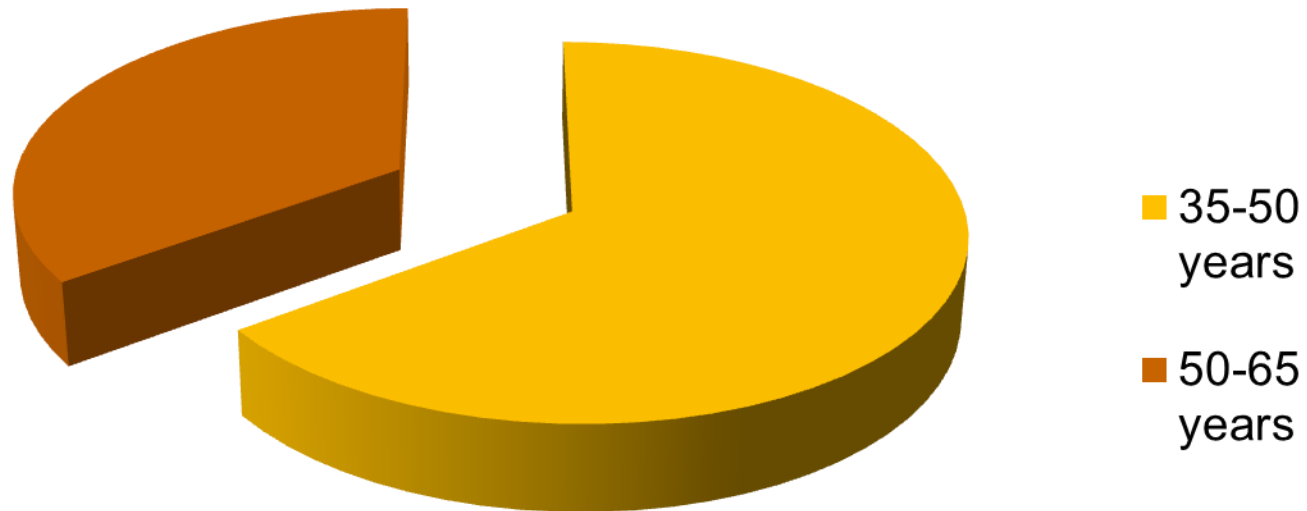
- 7 general courses,
- 9 language courses.

Questionnaire

- in 2012
- among approx. 600 court interpreters
- about their needs, expectations, and wishes in relation to the format and subject matter of courses
- 80 respondents.

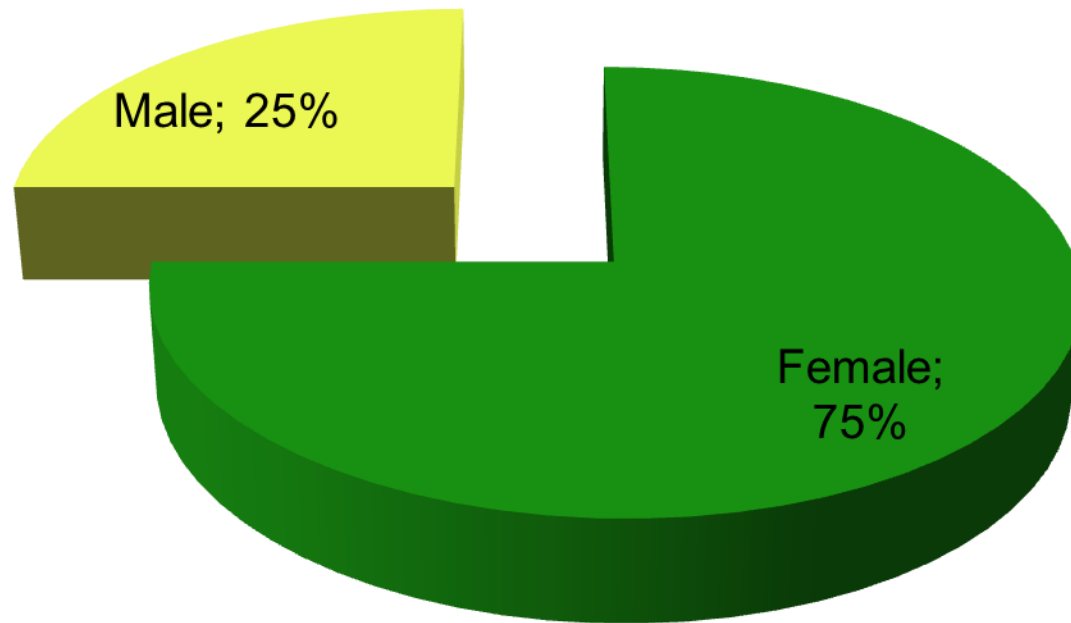
Questionnaire

Participants by age



N: 80

Questionnaire



N: 80

Questionnaire

WHAT DO THEY DO FOR A LIVING?



- Professional translators / interpreters
- Other Professions

Questionnaire

HOW FREQUENTLY DO THEY WORK AS LEGAL TRANSLATORS/INTERPRETERS?



- Every day or several times per month
- Once per month or less

Questionnaire

- **Most work** is done in the fields of:
 - criminal law,
 - commercial law,
 - tax law,
 - labour law,
 - inheritance law.

- Knowledge of constitutional or European law are **least** in demand.

Questionnaire

Which topics should be included in future seminars?

- **Legal subjects:** criminal law, law of obligations, commercial law, financial law, law of inheritance.
- **Interpreting techniques:** consecutive interpreting (note taking), sight translation, chuchotage, simultaneous interpreting, vocal technique.
- **Linguistic topics:** document samples, legal terminology, glossaries, practical use of legal language.

Questionnaire

Which legal documents should be included as work material for future seminars?

- In the field of **criminal law**: indictment, judgement, appeal.
- In the field of **civil law**: contract, will, inheritance decision, extracts from the company register, Articles of Association, financial statements, audit reports.
- In the field of **administrative law**: personal documents (certificate of birth / marriage / death), school certificates.

Questionnaire

WHEN, WHERE AND FOR HOW LONG?

- in the afternoon, between 2 p.m. and 6 p.m.
- Monday - Friday
- not longer than 4 hours
- frequency: once per month
- in Ljubljana (the capital)

CHARACTERISTICS OF OUR CPD COURSES

FORMAT

- 3-hour courses,
- 16.00-19.00,
- Faculty of Law, University of Ljubljana,
- on working days,
- once per month or once every two months.

CHARACTERISTICS OF OUR CPD COURSES

PARTICIPANTS

- **1/2 active court interpreters** who do this for living; **1/2 occasional court interpreters** who practice another profession
- **mostly linguists**, others are law professionals, practitioners of other professions
- **experiences**: from a few years to over 20 years

CHARACTERISTICS OF OUR CPD COURSES

SUBJECTS

- Criminal law (procedural and substantive),
- Commercial law
- Forensics
- Procedures before Notary public
- Translation studies

CHARACTERISTICS OF OUR CPD COURSES

LECTURERS

- 4 law professors from various fields (criminal law, European Law, Jurisprudence) – Ljubljana Law Faculty,
- 3 professors of translation studies – Maribor University, Primorska University,
- 5 attorneys-at-law,
- 2 judges,
- 4 court interpreters,
- representative of the National Bureau of Investigation,
- assistant director of the National Forensic Laboratory.

CHARACTERISTICS OF OUR CPD COURSES

WHAT DO THE PARTICIPANTS LIKE MOST?

- list of key concepts / terms from a specific field of law, their explanation and possibly foreign language equivalents;
- in language workshops – the same as above + lecture should preferably be given in a foreign language.

PLANS FOR THE FUTURE

- Seminars for languages of lesser dispersion in Slovenia
- Webinars
- Seminars on interpreting techniques

LAST BUT NOT LEAST

TEAM WORK IN DESIGNING AND CARRYING OUT THE CPD PROGRAM

We hope that you have found our presentation informative.

Thank you for your attention!

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