



National Association of Judiciary Interpreters & Translators

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Hon. Herbert Kohl
Senate Judiciary Committee
224 Dirksen Senate Office Building
Washington, DC 20510

Re: S. 702 to authorize the Attorney General to award grants to State courts to develop and implement State court interpreter programs.

Dear Senator Kohl:

On behalf of the National Association of Judiciary Interpreters and Translators, a professional association with over 1000 language specialists in the legal interpreting and translation field, we write in support of S. 702 to authorize the Attorney General to award grants to states to develop and implement state court interpreter programs.

Court interpretation is a highly-skilled profession requiring specialized training and experience. Even bilingual individuals who speak languages at a high degree of fluency are not qualified thereby to provide legal interpreting or translation services in judicial or quasi-judicial settings. In a courtroom, language and the law combine to demand excellence and full command of technical language, nuance, register and vocabulary. In addition, there are skills that an interpreter must possess to interpret in the modes of interpretation already established by federal statutes, court rules, case law, and the profession, including knowledge of strict ethical requirements in these settings.

NAJIT members labor every day in federal, state, and municipal courtrooms, jails, prisons, attorneys' offices, law enforcement agencies, and in other justice agency settings. We strive to provide services of the highest quality and invest time, energy and money in improving our skills because court interpreting is such demanding work. We see first hand and up close some of the challenges that our courts and other justice partners are experiencing in the use and misuse of interpreters.

NAJIT is aware that some states have established solid interpreter programs but have been hampered by diminishing or non-existent funds to recruit, train, test and retain certified and qualified interpreters. Some states are still struggling to organize and provide reliable language services to the limited English proficient population; others have had to rely on a scattershot approach to providing language service: their interpreters lack linguistic competence, or skills, or are unaware of their role and

professional responsibilities due to lack of orientation and training. We see or hear of reports where interpreters are not provided, or untrained bilinguals, friends, family members, bystanders and even children are utilized because the court is either unaware of what constitutes minimum standards of competency or does not have funds for competent interpreter services.

Haphazard use of untrained and uncertified individuals ultimately costs the judicial system much more than seed funding for court interpreter programs that include reliable standards and certification. The lack of competent interpreter services also negatively impacts the efficient administration of justice and affects the court's ability to function effectively. Use of untrained and uncertified individuals as interpreters has led to cases being reversed, dismissed, re-tried or being processed with reduced charges.

The United States is a diverse country. Every day thousands of citizens or residents who have not yet mastered English come in contact with the judicial system which they cannot fully understand nor effectively access due to language barriers. We are well aware that this diversity poses unique challenges in providing effective delivery of government services, particularly in the courts.

In recent years, the shortage of qualified interpreters has been widely reported in the media. In recent legislative hearings, many have expressed concern about this shortage. September 11 and other disastrous events have alerted us to our pressing language needs and the need to organize our certified and qualified interpreters and translators. Katrina reminded us of our deficiencies in this area. Yet there have been few incentives and no funding to recruit, train, and retain either existing certified and qualified interpreters or aspiring interpreters.

Serious communication problems not only affect people's rights, equal access, equal protection, health, life, and safety, but also our national security. Too many officials at the national and local levels miss the critical link between legislated interpreter and translator credentialing and our country's compromised ability to respond to national disasters. Only through legislation and appropriation can we improve access to services throughout all levels of local and state government.

For all the above reasons, NAJIT commends S. 702 for its recognition that court interpreter programs need support, and strongly urges its passage.

Sincerely yours,

Alexander Raïnof, Ph.D.
Chair of the Board of Directors
National Association of Judiciary Interpreters and Translators