

HANDOUT FOR CONTRACT COURT INTERPRETERS

Translation of Tapes, Videotapes, and Compact Discs

The written transcriptions and translations of tapes, videotapes, and compact disks are considered legal documents and are to be submitted in a professional form suitable for duplication and presentation to the court or jury. They must be presented on white bond paper, typed, or under certain special circumstances handwritten in ink¹. The transcription² and translation of the source language content of the recorded material must include all conversations, utterances and sounds. Words or portions of conversation which are inaudible or unintelligible should be indicated as such by placing the word [inaudible] or [unintelligible] in their place. The voices heard in the recording should be identified solely by gender and order in the conversation. Thus, a conversation between a male and female would be indicated by a MV1 and FV1 (Male voice 1 and Female voice 1). Should a second male enter the conversation, his words would be indicated by a MV2. When the translator is asked to identify the speakers by name on the transcript/translation, the source of that information must be indicated, i.e., [Translator's note: identity of speakers provided by]. This is imperative as the translator cannot have any independent knowledge of the speakers' identities as he/she was not a party to the recorded transaction.

Meeting Deadlines

¹On occasion, the interpreter is asked to review a transcription/translation done by another translator. It may be more expedient for the interpreter to make handwritten notes directly on the existing transcription/translation to indicate any discrepancies that may exist between the material submitted for review and the source..

² Check whether a transcription is needed, or whether a translation from the source language is sufficient

Transcription/translation of recorded material should be accepted only with a full understanding of its major importance as potential evidence. Timely completion is critical to the court. Upon receipt of the materials, the interpreter/translator should immediately listen to the recordings in order to determine his/her ability to perform the task and to meet the deadline for delivery of the completed project. The interpreter who accepts the project must notify the party requesting the work no later than 24 hours after receiving the work as to any technical or language problems that might hinder the project or delay its timely completion. The successful prosecution or defense in a case may hinge on the timely presentation of the document.

It is not unusual for the translator to be called to testify at a later date regarding a transcription/translation; and under certain circumstances, the court may issue an order to produce additional copies of the work. The translator should maintain a personal reference file containing hard copies or compact disks of documents translated. These file copies should be kept for a period of no less than one year from the date of submission of the work.

Billing For Transcriptions/Translation Work

The estimated cost of a transcription/translation project is based on an approximate relationship of one minute of recording to between 30 to 60 minutes of anticipated transcription/translation work. This formula, though useful for making estimates, should not be utilized for purposes of billing. It is an imprecise calculation that ignores the complexity (or lack of complexity) of the task.

The invoice submitted should reflect the actual time worked, rounded off to the nearest 1/10 hours multiplied by hourly rate. The actual time worked will be affected by the

clarity of the source, the number of speakers, the subject matter involved, the complexity of the language utilized and other factors. The final invoice submitted for payment will require an attached work log of the actual time worked, including dates and start and stop clock times to support the final, total number of hours claimed on the invoice. If, upon reviewing the recorded material, the interpreter believes that the standard estimates set forth above are likely to be exceeded, s/he should notify the party requesting the work.

For translation services provided to court appointed counsel there is no set hourly rate. If a translation project payable under the Criminal Justice Act (CJA), is likely to exceed \$800.00, prior court authorization on a CJA form 21 is required. Do not start work on a translation project if the work is likely to exceed the \$800.00 limit without a court order. For further information, please refer to the CJA Orientation handout located on the Court's website.

The hourly rate for translation services **provided for the Court** should be in accordance with the Administrative Office established fee schedule for the interpreter's classification level at the full day rate divided by eight hours.

For work requested by the U.S. Attorney's Office, contact the U.S. Attorney's Office for billing requirements.

Translator's Declaration

A personal declaration stating the translator's qualifications and other relevant information should be attached to the translation.