

Szantova-Giordano, S. (2011). "We have the right to get by:" How court interpreting affects non-native English speakers in American courtrooms.

Abstract

Non-native English speakers find themselves disadvantaged in American courts due to their inability to adequately comprehend the legal proceedings and to understand legal English. While both the federal and the state judiciaries purport to provide equal access to justice to these individuals through court interpreters, the reality is that the existing court interpreting system fails in terms of both interpreter certification and appointment. Practically no competent court interpreters are available to speakers of exotic languages, resulting in the appointment of biased or unqualified "interpreters." Court interpreters struggle with two ends of the linguistic mastery spectrum – the complexity of the legal terminology on one hand, and the peculiarities of pidgin languages on the other. This paper identifies the underlying causes of the imperfections in the current court interpreting regime, and suggests systemic improvements in court interpreter identification, training, appointment, and skill development.