

Unlike Menus, Legal Translations Require Expert Help

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MANY U.S. PRACTITIONERS are surprised that the materials they need to research foreign and international law — cases, codes, regulations, treaties — are often not available in English. Even when translations are available, you should not assume that they are completely reliable, even when they are official translations. The official Web translation of the Bürgerlichen Gesetzbuches (the BGB or Big German Book) was released in 2007 and quickly withdrawn by the German government because of inaccuracies in the translated text. This being the case, when you cannot find legal materials in English, or when you have reason to question the quality of an English translation, it is best to use a qualified translator.

Translation and Legal Translation

No matter the national origin, legal verbiage is always a specialized vocabulary. All specialized fields develop their own terminology, usage, and terms of art, and the law is no exception. The services of a general translator or of a native speaker of the source language (the language from which the translation is derived), therefore, might not produce an accurate legal translation. Native speakers are best used for general translations because they have usage and native intuition on their side. However, a native speaker who has no background in the legal usage of both his or her native tongue and English would be unable to produce accurate, reliable translations of legal documents. Just as you would not hire a non-engineer to provide expert testimony on the technical aspects of building a bridge, obtaining an accurate legal translation requires a translator conversant in the complexities of the law, someone who specializes in the field or has had prior, successful, experience translating law. Several specialized translation services are available on the Web,

but you should always make a thorough investigation before buying. Ask for references. Then ask about the type of work they commissioned and their level of satisfaction.

Online Automatic Translation

A host of Web- and software-based programs purport to do translations, but they are not designed for legal translation. They use direct translation and syntactical approximation. The programs do a word-by-word literal translation and try to approximate the intended meaning by analyzing the possible context of the passage translated from grammatical and syntactical clues. Their performance can be quirky because they can be fooled by synonyms. For example, the word “teller,” which could be a bank teller, a fortune teller, or simply a person telling a story, can wreak havoc with an electronic translation. Online automatic translation programs can be used to deliver a first rough draft translation if you are familiar enough with both the target and source languages to recognize when problems occur. Online automatic translators give the reader a word or idiom, but they don’t often provide full, accurate translations. They should never be used to produce a finished translation without thorough editing by a competent translator.

Print or Electronic Translation Tools

The assumption that a competent translator works with nothing but personal knowledge is erroneous. Most people confuse translators with interpreters. Interpreters translate extemporaneously in live situations such as conversations or speeches, but translators work with documents of all kinds, using bilingual dictionaries, multilingual dictionaries, source language dictionaries, and grammars. Specialized tools, such as L.D. Egbert’s *Multilingual Law Dictionary*,

published by Oceana, or Dahl’s *Spanish-English Law Dictionary*, available on Lexis-Nexis’s reference-law database, in addition to standard bilingual or multilingual dictionaries, ensure accuracy. Like online automatic translators, bilingual and multilingual dictionaries can be used to form an idea of the translation of isolated words or idiom, but they should not be used for complete translation of a document without a strong knowledge of the document’s source language.

Language Learning Programs

There are many versions and modalities of language learning programs on the market. Most of these programs familiarize the user with the target language so that he can, through applied practice, become fluent. One of the best programs available is the Rosetta Stone suite of languages, which can provide a basic level of proficiency in the everyday usage of the target language, but not its legal vocabulary. Would-be legal translators might want to seek out additional self-help materials, such as *Teach Yourself . . . Legal Spanish* by Julio Románach, available from Lawrence Publishing Company, which I have used as a general introduction to Spanish legal terminology and found to be an effective tool for translating legal sources in that language.

Conclusion

Legal translation is a rarified and highly specialized field. The practitioner in need of legal translation will be best served by employing the services of a professional who specializes in the intricacies of the field and can ensure accurate and effective translations.