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Interpreters fill courtroom niche

By Leah Thorsen / Lincoln Journal Star

Sitting on a courtroom bench, it's hard to hear Raul Escobar. Papers shuffle. Parents try to hush antsy children. Chatter from the second floor of Lincoln's courthouse slips in when the door opens and closes.

But it's not important that the courtroom audience hears him. Only those he stands next to need to hear his words — the words of the English-speaking judge interpreted to Spanish.

Escobar is a courtroom interpreter whose task is to convey court proceedings to Spanish-speaking defendants.

On this day, he interprets for a man pleading guilty to drinking alcohol on a public street.

He interprets for a woman accused of driving with a suspended license, and not having registration or insurance.

His is a skill sought after in courtrooms around the state.

Nebraska spent more than \$538,000 last year paying for court and probation interpreters, said Kenneth Wade, associate administrator of the state court administrator's office. His office is a part of the Nebraska Supreme Court.

Since the state took over paying interpreters in 1999, they've used interpreters in roughly 50 languages, he said.

And there aren't enough of them to go around.

"Everyone's grasping, trying to get interpreters," Wade said.

The most sought-after interpreters are those who've achieved the level of "certified," the highest possible for interpreters.

To become certified, a person must pass written and oral tests — 70 percent is a passing grade.

Of the 200 tests given, only 13 people in Nebraska have achieved this ranking in Spanish, Wade said.

And one moved to Texas.

Nebraska Supreme Court Judge John Gerrard gives this example: You're driving in Mexico.

You get in a car accident, and you're arrested.

You don't speak Spanish.

When you appear before the judge, how much of what he says do you want to understand?

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Gerrard co-chaired the Nebraska Minority and Justice Task Force, which was created to investigate real or perceived

bias in the court and legal systems.

All people have the right to know what they're being charged with, and to tell their side of the story in court, he said.

And that means making sure they understand everything happening around them.

Not only is it the right thing to do, but the Constitution demands it, he said.

"There is no fairness in the courtroom if the (accused) person doesn't understand exactly what's going on," said Milo Mumgaard, executive director of Nebraska Appleseed Center, who was also a part of the task force.

All defendants need to be informed participants in their defense, he said.

Especially troublesome, said Gerrard, is when untested people off the street interpret for defendants — a practice that is allowed in Nebraska courtrooms, but only as a last resort.

He hopes to organize a training session within the next 18 months to teach judges and lawyers about the importance of interpreters, and how to work with them.

"Interpreters are a very real part of court life," he said.

And while court-appointed interpreters are doing a great job, Gerrard worries about the scarcity.

"It's nowhere near serving the needs we have out there."

There are 82 interpreters listed on the state Supreme Court's register of interpreters available for Lancaster County courtrooms.

They speak Spanish, Serbian, Vietnamese, Mandarin and Albanian, to name a few.

Before they begin interpreting, they take an oath.

They promise to make a true interpretation of all court proceedings.

It's an oath that Escobar, the Spanish interpreter, takes seriously.

And just being bilingual isn't enough to interpret in court, he said. Interpreters need to understand legal jargon, which can be a daunting task for English-speakers.

"You don't want to take chances when you're before a judge," he said.

Escobar, like the vast majority of courtroom interpreters, works on a freelance basis in courtrooms around Southeast Nebraska.

So does Mohammed Siddiq, an Arabic interpreter.

He, like Escobar, is classified as a "registered" interpreter, just one step below certified.

Sometimes, Siddiq worries that the people he interprets for aren't listening close enough — sometimes they're worried and overwhelmed, and it's hard to concentrate.

He wants to help them.

He wants to tell them to pay attention.

But ethically, he can't.

His interpretation must be exact, so he only interprets what he hears, he said.

He knows how important his role is, and it's not a responsibility he takes lightly.

Said Siddiq: "Without an interpreter, nothing happens."

Reach Leah Thorsen at 473-7246 or lthorsen@journalstar.com.

What's the difference?

Nebraska has three classification levels for courtroom interpreters.

- * Those who are "certified," the highest level, have passed legal interpreting competency oral and written exams.
- * Those who are classified as "registered" interpreters have either completed an interpreter orientation program or passed a written exam.
- * The remainder are "other" and haven't fulfilled the requirements to become certified or registered