

REPEATING UTTERANCES IN THE CONSECUTIVE MODE: BACKGROUND ANALYSIS

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PROFESSIONAL FRAMEWORK

There are three important principles guiding the profession of court interpreting that frame the discussion of whether the consecutive segment of the court interpreting examination should permit an examinee to request that any of the utterances be repeated and, if so, how many. Once the professional principles relevant to the issue are presented, the design of the test will be discussed, followed by relevant statistics on test performance and conclusions.

Unobtrusiveness

The first is the provision in codes of professional conduct that is binding on court interpreters to be as unobtrusive as possible. To ask for a question posed by a lawyer or judge or an answer by a witness to be repeated is inherently obtrusive. Therefore, in the ideal world, an interpreter would never ask for repetitions and the fewer requests for repeats, the better. Conversely, the more one asks for repetitions, the more obtrusive one is.

Techniques for Reducing Need to Request Repetitions

There are two basic techniques available to court interpreters that are used in the real world of the trial court to reduce the frequency of requests for speakers to repeat what they have said.

The first is note taking. This is a supplement to short-term memory and is permitted during the exam. This is a skill that interpreters are expected to develop and use throughout their professional careers as court interpreters.

The second technique is for the interpreter to exercise a limited degree of situational control¹ over speakers. This involves using hand signals to stop a speaker who is about to reach the outer range of the interpreter's capacity for recall (ordinarily when the speaker is approaching fifty words) and, once the interpretation has been rendered, another hand signal to advise the speaker to resume speaking. This technique has never been allowed during any court interpreter certification exams I know of, although it could have been used when examiners who were present read the utterances. Now

¹ See the section on "Situation Control," pp. 395-398, in González et al.

that the consecutive is administered via a CD recording (except in the FCICE which still uses readers, but is experimenting with the Consortium's CD approach), it is not an option.

What the Profession Can Bear

The third principle is based on the fact that, with respect to the length of utterances, there is a limit to what the profession can bear and should be expected to handle. While in the ideal world one might wish that there would be no upper limit on the how many words professional court interpreters can accurately and faithfully interpret, that is not realistic. It stands to reason that, in general, the longer an utterance is, the more likely that the interpreter will be unable to render it without loss of accuracy and faithfulness, whether by adding, deleting, or changing some of the source message. So the question is: what is the maximum number of words that the profession can bear? What is the upper limit in terms of number of words that someone entering the profession should be expected to be able to faithfully and accurately interpret?

The classic text in our field establishes the following standard:

A competent interpreter is able to process and interpret forty to sixty words of question-and-answer testimony without having to interrupt the speaker. In fact, the Federal Court Interpreter Certification Program regards this ability as a minimal performance standard in CI....” (González et al. at 396)

In describing the test specifications for the certification exam designed and administered by the Administrative Office of the United States Courts, González et al. state, “The candidate must be able to interpret utterances of approximately **sixty words in length** without interrupting the speaker.” (at 529; emphasis in original) The FCICE’s current policy is to include utterances that may be as long as fifty words.²

There appears to be some difference of opinion about what the upper limit should be. For example, California’s certification exam includes utterances up to forty words in length (The Judicial Council of California, at 9).

CONSORTIUM TEST DESIGN

There are three interrelated principles of test construction that are relevant to repeats in the consecutive: lengths of utterances, time a candidate has to complete the consecutive, and the number of repeats allowed. As to length, the Consortium’s policy is that the maximum number of words that may appear in any utterance in the consecutive portion of the court interpreter certification examinations is fifty words.³

² FCICE, EXAMINEE HANDBOOK, at 36 (April, 2002; Revised: March 2004; Revised: February 2007).

³ Consortium Oral Examination Construction Manual, at 8.

That has also been the policy of the tests developed by New Jersey from the beginning.⁴

Furthermore, both the Consortium and New Jersey require that scoring units distributed throughout the exam be distributed according to the length of the utterances in which they are embedded. This is based on evidence showing that there is a negative correlation between the length of the utterance and the probability that examinees will successfully interpret them: the longer the utterance, the more the scoring units will not be accurately interpreted. Accordingly, the Consortium's manual for writing performance exams provides that the distribution of scoring units must follow a bell shaped curve as follows:

UTTERANCE LENGTH (In Number of Words)	DISTRIBUTION OF SCORING UNITS
1-10	10%
11-20	25%
21-30	30%
31-40	25%
41-50	10%

This approach was taken to ensure that exams are constructed that are not unnecessarily difficult or easy, to support the equating of levels of difficulty across test versions (i.e., across different tests for a specific language and across all tests regardless of language), and to measure candidate's abilities to handle the range of utterance lengths that must be handled for entrance into the profession.

As to time to complete the exam, the Consortium has fluctuated, starting off with eighteen minutes and later extending the time to twenty-two minutes. The increased amount of time became necessary when states found that some examinees could not complete the exam in the allotted time and the belief that this was attributed to proctor delay, not interpreter performance. This decision was a temporary decision aimed at being fair to examinees pending the outcome of a review of the issue. New Jersey did not have a maximum time frame in the early years, but later adopted an upper limit of eighteen minutes, which it still adheres to (except when using Consortium exams that are longer than the standard and therefore take longer to administer).

The number of repeats allowed in all the FCICE, Consortium and New Jersey models is two. The reason for this has been the belief that the test should measure candidates' in part on their ability to handle utterances of varying lengths without benefit of more than a very few repeats. If candidates had no limit on the number of repeats, then there would be no true measure of their ability to handle the range of utterances. Furthermore, there would be more and more candidates running out of time.

⁴ Language Services Section, Administrative Office of the Courts, OVERVIEW FOR EXAMINEES INTERESTED IN TAKING A COURT INTERPRETER SCREENING EXAMINATION (August 2005).

STATISTICS FROM NEW JERSEY EXAMINEES

There are only three languages for which a sufficient number of persons have taken the consecutive test to provide any useful data. Those languages are Polish, Portuguese, and Spanish. Data for each language follow.

Polish and Portuguese Tests

These are some of the earliest tests developed in New Jersey. The table below describes the distribution of scoring units according to the length of the utterance in which they are found.

Table 1: Distribution of scoring units in Polish and Portuguese tests

LENGTH OF UTTERANCE	NUMBER OF SCORING UNITS BY TEST	
	POLISH 1A	PORTUGUESE 1
1-10 words	11	13
11-20 words	30	23
21-30 words	28	28
31-40 words	15	24
41-50 words	6	11

The next table illustrates the results of all examinees who took each of these tests, broken down by mean score on each range of utterances.

Table 2: Mean scores by range of utterance for Polish and Portuguese tests

LENGTH OF UTTERANCE	MEAN SCORE BY TEST	
	POLISH 1A (n=24)	PORTUGUESE 1 (n=46)
1-10 words	70	88
11-20 words	75	78
21-30 words	63	68
31-40 words	66	63
41-50 words	71	59

Spanish Tests

Since 1987 New Jersey has developed three separate Spanish tests. The first test underwent a major revision, and the data reported here are only for the second revision.

The following table provides an overview of the distribution of scoring units throughout the utterances of three New Jersey tests and one Consortium test used occasionally in New Jersey (New Jersey gives Consortium Test #4.2 on a selected basis).

Table 3: Distribution of scoring units in Spanish tests

LENGTH OF UTTERANCE	NUMBER OF SCORING UNITS BY TEST					
	NJ #1	NJ #1.1	NJ #1.2	NJ #2	NJ #3	Cons. #4.2
1-10 words	16	13	13	13	10	8
11-20 words	30	28	32	32	34	21
21-30 words	25	30	29	29	28	28
31-40 words	25	25	22	22	16	24
41-50 words	3	3	3	3	9	9

Table 4 below illustrates the results of all examinees who took each of these tests, broken down by mean score on each range of utterances.

Table 4: Mean score by range of utterance for Spanish tests

TYPES OF OUTCOME	MEAN SCORE BY TEST VERSION					
	NJ Test #1 (n=212)	NJ Test #1.1 (n=231)	NJ Test #1.2 (n=386)	NJ Test #2 (n=135)	NJ Test #3 (n=135)	Consortium Test #4.2 (n=77)
BY LENGTH OF UTTERANCE						
1-10 words	75%	75	78	86	85	68
11-20 words	45%	58	53	79	80	70
21-30 words	41%	48	52	73	66	72
31-40 words	39%	40	44	59	60	51
41-50 words	23%	28	34	60	65	58
BY PERCENTAGE OF CANDIDATES SCORING 70-100%						
	(n=20)	(n=32)	(n=66)	(n=102)	(n=88)	(n=23)
1-10 words	91%	93%	91%	90%	88%	78%
11-20 words	77%	80%	71%	84%	85%	79%
21-30 words	72%	72%	75%	78%	75%	82%
31-40 words	69%	61%	66%	63%	66%	67%
41-50 words	43%	50%	59%	67%	72%	69%

Discussion

While there is some variation from test to test, the general conclusion is that, except for the Polish test,⁵ there is a clear pattern that shows examinees score better on shorter

⁵ When there is more time to address this, I hope to take a closer look at the data and make certain I have not made some programming errors. I did proofread everything once and that appears unlikely, but a closer look is warranted. If the data continue to be what I've reported here, then we need to explore what

utterances and worse on longer utterances. In some respects, there is a very clear, negative correlation between the length of an utterance and the accuracy with which candidates interpret scoring units (note particularly Portuguese and Spanish #1A). The same tendency is evident, although not as systematically, in each of the other Spanish tests.

CONCLUSIONS

I think in view of everything we know about interpreting in the consecutive mode and how we have constructed tests over the past twenty years, it is appropriate to permit candidates to request and be given repeats of up to two utterances in the consecutive portion of the exam. If more repeats were allowed, our ability to measure actual skill levels related to minimizing obtrusiveness would be reduced. Also, candidates who have problems with short-term memory would be allowed to overcompensate with extensive note-taking. If we were going to change anything in this respect, I would probably prefer eliminating repetitions altogether.

I am also concerned that we have left open the issue of the amount of time that's permitted in the consecutive portion of the exam. In my mind, the twenty-two minutes is far too much time. I think we should analyze the tests that are causing the problem, determine whether they meet the test construction standards, and develop a plan for resolving the issue.

REFERENCES CITED

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New Jersey Administrative Office of the Courts. OVERVIEW FOR EXAMINEES INTERESTED IN TAKING A COURT INTERPRETER SCREENING EXAMINATION. Trenton: Language Services Section, August 2005.

may account for the difference between Polish candidates and Portuguese/Spanish candidates. I do not have a theory to account for this yet.