

Are You Gambling With Your Law Firm's Translation Needs?

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Is your law firm or legal department speaking the same language as your multilingual clients? Poorly translated documents or sub-par court interpretation can change a case's outcome. Your reputation is literally in your legal translator's hands - and an unqualified translator can bring upon disastrous results. Whether your law firm is working on a patent infringement case, or going through a discovery, it is important to select your translation company based on sound information. Here are some factors to consider.

- **Avoid the common misconception** — Many law firms often suffer from the common misconception that any individual who speaks a foreign language is automatically a translator. Just because your intern or co-worker grew up speaking Spanish doesn't mean they'd be a good translator. Translation is a highly specialized, quality-driven industry with a high cost for failure. An article in the National Law Journal relates an instance where a large Italian bank was being sued as a loan guarantor. When the loan document was translated literally from Italian, it stated that the bank guaranteed the loan. However, the word "guarantee" has different meanings in Italian than it does in English, and a literal translation did not accurately convey the document's meaning. The court dismissed the case, deciding that an Italian "guarantee" was different than an English "guarantee" - and the bank was not responsible for the loan.
- **Translators and interpreters** — There are two categories of language experts. The interpreter's job is to translate orally from one language to another everything that is said, preserving the tone and style of the original language. Translators deal with written materials, taking into account various language and terminology issues and the context.
- **What is Translation.** Translation is a written process, whereby the content of a document written in one language (the source language) is rendered in written form in another language (the target language). While translation may seem to be a mechanical process, it is not. Translation is a skill, acquired through extensive training and many years of practice. A good translator, at the least, must have in-depth knowledge of two languages and two cultures, familiarity with a specific topic and terminology, and be an accomplished writer.
- **Specialization and Certification.** Translation is a very specialized field. In addition to being linguists, some translators are professionally qualified in specific technical disciplines, such as aerospace, biochemistry and chemistry, hardware and software, electrical engineering and mechanical engineering, medicine and pharmaceuticals, physics and telecommunications. Some only translate patents and others concentrate only on contracts. Most of the professional translators work only in a single language pair and in one direction (e.g., English to French). It is a good sign if the translation company, whose services your law firm uses, works with translators, who are certified by the American Translators Association and who translate only into their native language. A good first question to ask a potential translation company would be: "Are your translators comfortable translating a Japanese patent related to disk storage devices for computing?"
- **The Time Factor** — Translation is a time-intensive occupation. Technical and legal translations are a result of a laborious process requiring great attention to detail and the ability to research and convey complex concepts clearly and accurately. Time, on the other hand, is always of the essence with any legal case. Consider partnering with a legal translation company early in your project. During discovery, when your law firm will have hundreds of pages of source documents that need to be translated as soon as possible, it would make sense to bring professional translators into the law firm to prepare abstracts so that your attorneys could decide which documents they need translated.

- **Think Twice about Outsourcing Legal Translations Offshore** — As your law firm grows into the global marketplace, you may be tempted to respond to spam emails from Latin America, or China, or India, touting cheap and fast translations. It helps to remember that legal translation is a highly specialized service, and may not be suitable for outsourcing overseas. Professional US-based translators, who only translate into their native language, are sensitive to the cultural and social nuances, and are capable of producing culturally meaningful translations of legal documents for your clients in Mongolia, or France, or China.

Professionally translated Web site and collateral will become your law firm's strategic assets. They will help your legal services stand out from the competition. Protect your law firm's global image by choosing to work with a legal translation company that understands your brand.

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