



## COURT INTERPRETING EXAM – WRITTEN COMPONENT

### MARKER'S GUIDE

#### PART 1: WRITTEN TRANSLATION (100 POINTS)

Written exam has three parts; Part 1. Written Translation, Part 2. Knowledge of the Law and Part 3. Ethical Scenarios. They will be averaged to arrive at the candidate's final grade. To be successful, candidates must obtain at least 60% on each of Parts 1, 2 and 3. The overall passing grade is 70% after averaging the three parts.

Part 1-A: English to Language of Specialty - **10 out of 12 legal terms (20 pts)**

Part 1-B: English to Language of Specialty - **Two out of three short paragraphs (30 pts)**

Part 1-C: Language of Specialty to English - **Text on a legal theme (50 pts)**

Two markers will be used on all three parts of Part 1. Written Translation. They are asked to mark each exam part independently, and then confer, as described at the end of this guide.

#### **PART 1-A. TRANSLATION OF TERMINOLOGY INTO LANGUAGE OF SPECIALTY (20 PTS)**

Each term is worth **two points**, for a total of **20 points**. Half points may be given. The number of points given for each term (between 0 and 2) must be clearly identified in the margin of each candidate's test paper, followed by the **total out of 20**.

When deducting points in Part A, please provide a brief explanation and **write a correct or preferred rendition in the margin**. This information will be made available to failed candidates.

The main criterion is whether the **meaning of a given term would be adequately communicated in a court interpreting context**. Hence, a candidate who has given an adequate circumlocution for a term or expression would receive full marks, unless a standard term exists that s/he missed. (Note: in the official languages, most terms will have a precise translation.) On this portion, marks **need not be deducted** for incorrect spelling, if the meaning is not obscured. See below for information on **marker conferral** and reporting of results to CTTIC.

#### Instructions to candidates:

**PART 1-A. Terminology:** Translate **10** of the following 12 terms into your language (2 pts each = **20 pts**). If all 12 are translated, only the first 10 will be marked.

**PART 1-B. TRANSLATION OF SHORT PARAGRAPHS INTO LANGUAGE OF SPECIALTY (30 pts)**

This portion involves the translation of **two out of three** short texts containing legal language, ranging from approximately 75 to 100 words, from English into the language of specialty. They may be excerpts from the Criminal Code or often-quoted decisions. Each of the two paragraphs is worth **15 points** for a maximum of **30 points**. Each paragraph is **initially graded out of 30 points**, and the result halved to arrive at the final mark for the given paragraph.

The main criterion is whether candidates have understood the source text and found a way to **convey the meaning in the target language adequately**. Hence, the evaluation will focus on content rather than form or style. On this portion, marks **need not be deducted** for incorrect spelling and punctuation and other minor language problems, if the meaning has not been obscured.

**DETAILED MARKING PROCEDURE**

**1. Identifying Errors**

For marking purposes, the source texts in English have been divided into segments, generally clauses or short sentences, within a marking grid. While reviewing the candidate's translations, underline and identify any meaning or content errors on the translation and/or marking grid, e.g.

Mistranslation = **Mis**  
Omission = **Omit**  
Addition = **Add**

**2. Applying the Grading Scale**

Each segment is worth a maximum of 3 points. The candidate's translation of each segment is assessed by assigning from 0 to 3 points based on the following scale.

GRADING SCALE

<b>3 pts</b>	Meaning/main idea and all information conveyed fully and accurately
<b>2 or 2.5 pts</b>	Meaning and information conveyed but not fully due to a minor mistranslation, omission or addition; main idea may have suffered slight alteration
<b>1 or 1.5 pts</b>	Meaning obscured but not completely lost due to a significant mistranslation, omission or addition, or 2 or 3 minor ones; main idea has been altered
<b>0 or 0.5 pts</b>	Meaning/main idea barely conveyed, or not at all, due to omission, mistranslation, etc.

**Half-point increments** may be used. Note that for any given segment, a deduction of a full point would result in  $2.0/3 = 66\%$  for that segment. If the main idea has been essentially conveyed despite some minor problem(s), no more than half a point should be deducted for that unit (**i.e. 2.5/3**). No points should be deducted if the main idea is accurate and clear even though elements of style or language may be deficient. However, if a vocabulary, grammar or other language-related problem obscures the meaning, alters the sense or renders the phrase unintelligible, then points should be deducted. If the main idea or main piece of information for a given segment has not been conveyed, then no points should be allowed for that unit (i.e. 0/3), even if certain secondary details have been translated correctly.

Note that the segmentation in a grid is meant to assist markers in performing their task; please bear in mind that in practice, there will **not always be a one-to-one correspondence** between a given source segment and its translation in the target language.

For each text, write the number of points you assigned to each segment on the marking grid (e.g. 2.0/3). The final mark for the text is obtained by adding up the points assigned (initially out of 30) and then converting to the final mark out of 15.

When deducting points in Part B, **provide a brief explanation and/or correct or preferred rendition**. This information will be made available to failed candidates. Candidates were instructed to translate the texts **as if they were interpreting orally in court**. Hence, a candidate who has given an adequate circumlocution for a term or idea would receive full marks, unless a standard term exists that s/he missed. See below for information on **marker conferral** and reporting of results to CTTIC.

Instructions to candidates:

**Part 1-B** Translate **TWO** of the following three short paragraphs into your language, as you would if you were interpreting orally in court. If all three are translated, only the first two will be marked. Please use the booklet provided. (15 pts each X 2 = 30 pts)

**Text Example:**

<b>MARKING GRID</b>		
No.	Segment	pts
1	The Court of Appeal is the highest court in the province.	/ 3
2	It hears appeals from the Supreme Court, from the Provincial Court on some criminal matters,	/ 3
3	and reviews and appeals from some administrative boards and tribunals.	/ 3
4	The Court of Appeal is constituted by the Court of Appeal Act.	/ 3
5	The Court of Appeal Act provides for a Chief Justice and 14 other justices,	/ 3
6	as well as for supernumerary justices.	/ 3
7	Thus, the Court of Appeal actually has more than 15 judges.	/ 3
8	The Chief Justice of British Columbia heads the Court of Appeal.	/ 3
9	The Court of Appeal has a registrar who, in addition to other administrative duties,	/ 3
10	hears matters related to the settling of orders and bills of costs.	/ 3
	OUT OF 30	/ 30
	DIVIDED BY 2 FOR FINAL MARK	/15

**CANDIDATE #:** \_\_\_\_\_

**FINAL MARK PART B (Add two results out of 15):** \_\_\_\_\_ / 30

**PART 1-C. TRANSLATION OF TEXT ON LEGAL THEME INTO ENGLISH (50 PTS)**

**SOURCE ENGLISH TEXT**

Bear in mind that some terms may have no exact equivalent in the language of specialty. Grading will not be based on how well the candidates have recreated this text, but rather on **how well they have translated text written in the language of specialty.**

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Written Translation into English:

Instructions to candidates:

**Part C** Provide a faithful, idiomatic translation of the text in English. If you do not know the exact translation for a given term, find another way to express the idea.

(Example)

Having custody generally means having the care and daily control of the children. Parents now are often given joint custody, which means that they share responsibility, but usually the children still live most of the time with one parent, who has primary residence, and spend some time with the other parent. Access is the time the children spend with the parent who does not have custody or who does not have primary residency. Access can include telephone calls and web cam calls. If you believe your children are in danger from your husband or partner, you can ask the courts for supervised access. This means that someone else is present besides your husband or partner during the access visits to make sure that your children are safe. This person may be you, a friend or relative you trust, or someone from a professional agency that charges money to supervise the access visits. Supervised access is usually short-term. If the supervised visits go well over a period of time, your husband or partner will probably be allowed to have unsupervised visits. Having guardianship means that you make the major decisions that will affect your children, such as what schools they will go to, what religion they will be raised in, and what medical treatment they may need. Many parents have joint guardianship.

(Source: [https://ywcavan.org/sites/default/files/resources/downloads/YWCA\\_Leaving-an-Abusive-Relationship-2014.pdf](https://ywcavan.org/sites/default/files/resources/downloads/YWCA_Leaving-an-Abusive-Relationship-2014.pdf) )

## **GENERAL MARKING CRITERIA**

Broadly speaking, the evaluation is concerned with whether candidates have demonstrated comprehension by communicating the content and meaning clearly, using acceptable English form and style. Dictionaries were not allowed. Candidates are not expected to necessarily come up with the exact English equivalent of a given term or to "reproduce" the source English text, although there should be a close correspondence. Court interpreters are expected to have a reasonable mastery of written English, but are not expected to be at the level of a certified translator into English.

## **DETAILED MARKING PROCEDURE**

### Preparation

Prior to reviewing the candidate's target text, read the source language text and assess its overall difficulty. Special features of the text and/or passages that present stumbling blocks should be underlined.

### Correction

Not more than the value of one major Translation error (i.e. 5 points) and one major Language error (i.e. 5 points) will be deducted from the translation of any one sentence or clause in the exam text. No single repeated error will be considered sufficient to fail a candidate.

The number of points deducted must be entered in the margin of the paper being corrected (see **Marking Scale** below).

The target text is initially **marked out of 100 points**, which is then converted to a **mark out of 50**. (The terminology and short paragraphs, the marking of which is discussed above, accounts for the other 50 points). The two marks are added together to obtain the final grade.

### Marking Scale

**Errors** are considered to fall into **two main categories**:

**Translation** (Comprehension - failure to render the meaning of the original text).

**Language** (Expression - violation of grammatical and other rules of usage in the target language).

**Note: Errors in the text must be highlighted or underlined.**

#### **TRANSLATION** (Comprehension)

**Major mistakes**--shown in margin as **T**.....-5

e.g. serious misinterpretation denoting a definite lack of comprehension of the source language, non-sense, omission of a phrase or more

**Minor mistakes**--shown in margin as **T1**.....-2

e.g. mistranslation of a single word, omission/addition affecting meaning, lack of precision, wrong shade of meaning

#### **LANGUAGE** (Expression)

**Major mistakes**--shown in margin as **L**.....-5

e.g. nonsensical expression, unacceptable structure, wrong verb tense affecting meaning

**Minor mistakes**--shown in margin as **L1**.....-2

e.g. syntax, grammar, ambiguity, unnecessary repetition, convoluted structure, non-idiomatic structure, unacceptable borrowing

**Minor mistakes**--shown in margin by **L2**.....-1

e.g. breach of spelling, punctuation, typographical conventions

Application

If an error recurs repeatedly throughout the text (punctuation, pronouns, etc.), it should only be penalized the first time it appears, except in cases where it affects the meaning.

Errors should be indicated in the margin of the paper **using the appropriate letter**. When a paper has been corrected, the various types of errors are to be summarized on the Marking Sheet provided, together with the total points deducted. e.g.

T	2 x -5 =	-10
T1	2 x -2 =	-4
L	1 x -5 =	-5
L1	3 x -2 =	-6
L2	3 x -1 =	<u>-3</u>

-29 points

Calculation:  $(100 - 29) = 71\% \times 0.5 = 35.5 / 50$

In this example, the candidate obtains **35.5 / 50** on the translation of the text (to be added to the result from the terminology portion that accounts for the other 50 points).

**MARKER CONFERRAL (APPLIES TO PARTS A, B & C)**

The pass mark on **Part II: Written Translation** is **60%**. If candidates have less than 60%, they have failed the written exam, even if they did well on the Legal Knowledge and Ethics components. A mark of 60% or higher on the translation portion will be averaged with the marks achieved on the other two exam components, to arrive at the final grade. This will be done by CTTIC.

The two co-correctors are to mark each set of candidates' papers **independently**, in accordance with these procedures. After marking is completed, the correctors are asked to contact each other and **compare their results**. If both correctors agree that a candidate has passed, their judgment stands. If both correctors agree that a candidate has failed, and there is **no more than a 10% discrepancy** in the final marks given, their judgment stands. If a paper has been passed by one corrector and failed by the other, the marks must be reviewed and, if possible, agreement reached on the paper's status. If no agreement can be reached by the correctors, a third marker may be required.

If the average of the two final results is **less than 70%** and there is a **discrepancy of more than 10%** between the final mark given by each co-corrector, the **errors noted must be reviewed** by the two correctors, even if the candidate has passed Part II-Written Translation. After reviewing each of Parts A, B, and C to identify the source of the discrepancy, one or both correctors **may make any adjustments** to their marks within the parameters of these guidelines. If the discrepancy of 10% or more persists after marker conferral, the areas of discrepancy **should be clearly identified and explained** to allow the Chair of the Examination Committee or delegate to make an informed decision as to whether a third marker is required in the event the candidate has failed the written exam.

### Results Form and Marker's Comments Forms

Although a candidate may pass Part 1-Written Translation with under 70%, the overall pass mark on the written exam is 70% after averaging the three parts. For this reason, if a candidate has **received less than 70%** on the Written Translation portion, one of the markers must complete a **Marker's Comments form** (enclosed). These remarks will inform candidates of their weaknesses in the event they fail the written exam. It is essential that they be completed with **great care**. In particular, the most unambiguous examples of errors should be selected, and should include the source text that was translated, the candidate's solution and suggested correct renditions. As well, the General Comments should be positive in tone and indicate any pervasive problems which appear.