



THE GOTHAM TRANSLATOR

PRESIDENT'S MESSAGE

I never thought that I would be writing another message of this type so soon after the passing of Susana Greiss; however, The New York Circle of Translators has suffered another loss. My predecessor, Slavica Zecevic-Pralica passed away in early June, after battling cancer for months.

I first remember meeting Slavica when she was our program director. She was bubbly and affectionate and genuinely happy to meet and greet each member at our functions. She brought us many lively and interesting programs during her tenure, both social and educational. Slavica then undertook Presidential responsibilities during a very difficult year for the Circle, one that saw several officer resignations. She was already very ill at that point, and despite her illness, she continued to provide Circle Members with the best services and programs she could muster. Her determination kept the Circle alive and functioning during a difficult period and I, as a member, am very grateful for her dedication to us.

When I remember Slavica, I will think of my first impression of her—a joyful, lively person, active at Circle functions, constantly aware of what had to be done in order that the Circle prosper. I think this is the image she would have preferred. Slavica, rest in peace.



IN MEMORIAM: SLAVICA ZECEVIC-PRALICA 1950-2006

by Matt Keenan, her partner

It is with great sorrow that the Gotham reports the passing of one of our members and our former President and Program Director, Slavica Zecevic-Pralica. Slavica was a special person whose dedication, courage and perseverance gave inspiration to all of us. While it is so difficult to talk briefly about the goodness of a wonderful member and person, I certainly hope that that this writing will be as honorable and as worthy as was our fine associate. Where does one begin when trying to describe a person's life and their accomplishments and simultaneously to show who that person was and how they fit into the whole scheme of our lives? Well, I guess we just have to go back to the beginning and work our way up to the present.

Slavica was born in Belgrade Yugoslavia on July 5, 1950. Spending her young adult life in Yugoslavia, she attended the University of Belgrade and received her Bachelors degree in Literature in 1985 and in 1991 became a certified Translator in Yugoslavia. Slavica loved books and is

known to have said that books were her best friends. Not only did she study and appreciate the great writers and classics, she was also an avid follower of the great painters, composers, operas and ballet. A quick peek into her apartment would reveal her affinity for Shakespeare, Bach, Chopin, Verdi, Placido Domingo, Pavarotti, Picasso, Santiago, Dali, and her favorite Leonardo DaVinci. In fact, as difficult as it was for her, Slavica attended an opera at Lincoln Center in January and a Broadway

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play in February.

Between the years of 1985 to 1994, Slavica worked as a Serbian/Croatian/Bosnian translator, interpreter and language consultant. She was very much involved with translating and subtitling films along with television-series programs for Belgrade Television. For five years Slavica worked as a group leader and interpreter for a European children's fair called "Joy to the World" which was sponsored by UNICEF. Additionally, she enjoyed being an editor and proof-reader for a Yugoslavian Publishing House.

However, things began to change in Yugoslavia. There was political turmoil and upheaval. So, Slavica decided that life might be better for her and her 14

year old son, Andre, if they left Yugoslavia. At first she had a strong desire to go to Canada, but eventually opted to come to the United States where her mother resided in Clifton, New Jersey. At first Slavica found it difficult. She came here with no contacts, no job, and no friends and was a single Mom. Would there be a need for a Serbian translator in New Jersey? Additionally, she was always concerned about her son's welfare and his adjustment to a new way of life. Several years ago she moved to Hoboken in order to be closer to New York.

Slavica decided that it would be best to work as a freelance interpreter and translator as opposed to using her skills for some company on a 9 to 5 basis.

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Consequently, Slavica opened up many different doors by doing such a wide variety of things that eventually she was busy running around the metropolitan area to interpret depositions for attorneys or going to medical facilities to assist patients with communication with their medical providers. In between, Slavica would also be translating a whole assortment of documents covering the medical, legal and business community. Not to mention, she spent many hours doing over the phone interpretations, translating and subtitling movies from English to Serbian and, from time to time, would do voice-over radio commercial work. Slavica took great pride in the professionalism she sought to provide. If she ever had a question about the meaning of a particular word or phrase, she would research via the internet, peruse the hundreds of books in her personal library, or call people whom she thought could provide her with the answer.

These translation and interpretation services were provided to many organizations. To name a few: American International Health Alliance (AIHA), United States Agency for International Development (USAID), Language Line Services, Peace X Peace, International Center in New York, Consortium for Workers Education, Department of the Army, Open Society Institute, Society of Translators and Interpreters of British Columbia.

I AM NOT RESIGNED

Dear Slavica,

This poem by Edna St. Vincent Millay conveys my thoughts. I will always remember you, I will continue to miss you, and I am not resigned. R.

*I am not resigned to the shutting away of loving hearts in the hard ground.
So it is, and so it will be, for so it has been, time out of mind:
Into the darkness they go, the wise and the lovely. Crowned
With lilies and with laurel they go; but I am not resigned.*

*Lovers and thinkers, into the earth with you.
Be one with the dull, the indiscriminate dust.
A fragment of what you felt, of what you knew,
A formula, a phrase remains,—but the best is lost.*

*The answers quick and keen, the honest look, the laughter, the love, —
They are gone. They are gone to feed the roses. Elegant and curled
Is the blossom. Fragrant is the blossom. I know. But I do not approve.
More precious was the light in your eyes than all the roses in the world.*

*Down, down, down into the darkness of the grave,
Gently they go, the beautiful, the tender, the kind;
Quietly they go, the intelligent, the witty, the brave.
I know. But I do not approve. And I am not resigned.*



—Edna St. Vincent Millay

As if these activities weren't enough, in 1999 Slavica completed a two-year course of study and added to her skills a certification as an English as a Second Language instructor and taught English to non-English-speaking students, regardless of their native language. So, imagine, Slavica with Serbian as her primary language and then teaching Chinese garment workers displaced by the events of 9/11/01 how to speak English. She did it and her students loved her.

It is no secret that Slavica found out early that to develop her freelance activity she needed to have some networking capability. So, she became an active member in both the American Translators Association and the New York Circle of Translators as well as the New York State Teachers of English to Speakers of Other Languages (NYS TESOL)

It is also no secret that Slavica met many

fine people in these organizations, and in 2004 she became a Board member of the Circle serving as the Program Director. That was a very big year for Slavica. In June of 2004 she also became a citizen of the United States, but only to find out a few days after being sworn in that she had been diagnosed with Stage IV lung cancer. The tumor had penetrated through her rib cage and was impinging on her spinal cord. This was a shock to Slavica because she was a vegetarian, non-smoker and would swim several times per week for at

least 45 minutes per session. Additionally, Slavica loved to walk and was known to walk from 82nd Street and Broadway to the 34th Street Path Station. Despite this devastating news she kept up with her work as a freelancer, program director and mother. She always made sure to obtain relevant speakers for monthly meetings and to make arrangements for after-meeting gathering places. In October, Slavica began chemo therapy and radiation treatments to her lung. Both treatments sapped her strength and caused her to lose her voice temporarily. Her throat was burned from the radiation making swallowing anything a painful event. By December 2004, it appeared that the size of the tumor was decreasing. However, Slavica started to get buzzing noises in her right ear and the right side of her face was not moving. An MRI showed that the cancer cells had spread to the brain and facial nerves.

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A WORD FROM THE EDITOR

by Rosene Zaros

Increasingly I am afraid that we, as Americans, are losing the ability to read and to listen critically. For many, the mere fact that something is in print gives it credibility. The words "experts say" seem to legitimize whatever is being said. There is no need for examination or critical analysis. I am both shocked and depressed by forwarded emails that purport to be patriotic while, in reality, they support causes that run counter to the basic tenets of democracy in America.

This can only be happening because we have become sloppy in our approach to language and communication. We live in a world of instant messaging and buzz words, many of which are ambiguous at best. At worst, they incite emotional responses that lead to shameful actions. Our so-called patriotism is pushing us to behave in ways that are downright "anti-American." We are told: "America for Americans" and "Love it or leave it." Does the latter mean that I am not free to criticize some of the things that I see happening in America? — Perhaps only at the risk of being considered a security risk by the powers that be.

When I remember how, after 9/11 America took solace in John Lennon's beautiful song "Imagine," I wonder if we were really listening to the words — all of them. Or, were we only listening to the last line of each stanza where we are asked to "imagine all the people living for today...living life in peace...sharing all the world...and the world will be as one." Those were the things that we wanted with all our

hearts, so it was easy to overlook the other things that the lyrics ask us to imagine?

Let's go back now and look at the first lines of each stanza where we're asked to "Imagine there's no heaven..." and "No hell below us..." It is getting uncomfortable now because heaven and hell are major religious concepts. In the second stanza we are asked to "Imagine there's no countries... and no religion too." We have just been asked to imagine that the great American values of God, church, and country do not exist and that the world would be a better place without them. Yet, if we examine the course of religious history over the past two thousand years and the accompanying rise of nationalism, we may well want to ask some questions: How many murders have been committed in the name of religion? How many lost lives can be attributed to patriotism?

Because "patriotism" and "religion" can engender such strong feelings in human beings, they are very powerful forces that can be used to control and manipulate entire populations. For this reason, it may be beneficial to imagine, just for a moment, a world without religion and without nationality where there would be "nothing to kill or die for...and the world will be as one."

Nevertheless both religion and nationality are deeply ingrained in the way human beings define themselves. Right now, we can only imagine a world where human beings are able to transcend the negative influences of these forces, but having once imagined it, we will have gained greater insight into the ways that religion and patriotism have

been used by those in power and by those who want to be in power to create a wide and threatening schism between those who share our beliefs and those who have different beliefs.

I was surprised this past weekend to read that the ACLU, the ultimate bastion of freedom of speech in America, is attempting to prevent its board members from openly criticizing the organization. I see a parallel to this in the response of the ATA to the articles by Marguerite Shore and Alison Dundy that we printed in the October 2005 issue. If we do not feel free to question and to criticize our own organizations, ourselves, in essence, then we are truly witnessing the decline of democracy in America.

If we continue blithely to accept the words of "experts", if we continue to remember only those sections of a discourse that make us feel good, if we continue to turn our eyes away from the writing on the wall, the lessons of history, then perhaps we deserve our fate.

On the other hand, if we can imagine a different world, we can also work toward the realization of it. It is much easier to imagine ways in which human beings can work together within and among existing belief systems than it is to imagine destroying them and starting anew. The word "tolerance" has a somewhat condescending connotation that bothers me. I would prefer to use the word "respect." We must all respect the rights of one another to the extent that those rights do not negate those of another. ■

THE ATA AND THE MOHAMMED YOUSRY CASE

by Bernie Bierman

The following article is based upon a letter that I wrote to NYCT member Marguerite Shore in late March of this year in connection with the reaction of the American Translators Association to the Mohammed Yousry case. Since most readers of the *Gotham Translator* are already quite familiar with the facts of Mr. Yousry's case, and in the interest of saving space, I shall omit repeating those facts.

I first saw the name Mohammed Yousry mentioned in connection with an official statement that was published in the *ATA Chronicle* in March 2005. I read that statement cursorily, in the same way that I read most of the contents of the *Chronicle* these days.

Six months later, the *ATA Chronicle* published a letter-to-the-editor from a group composed of four ATA members. This letter took polite exception to the ATA's official statement regarding Mr. Yousry's conduct as an interpreter for Lynne Stewart, legal counsel to Sheikh Abdul Rahman. That letter-to-the-editor, too, initially received a cursory reading by me.

However, when I saw that this letter-to-the-editor was the subject of an instant rebuttal by then-ATA President Scott Brennan and Alexander Rainoff of NAJIT, if my interest per se was not aroused, then certainly my sense of *déjà vu* was.

This was, indeed, for me a case of *plus ça change, plus ça reste la même chose*: The ATA always needs to have the final word lest, heaven forbid, the membership should be convinced of the merits of a dissenting opinion! Indeed, the instant response or instant rebuttal has been a tactic employed by the ATA for close to 40 years against those who question or criticize official ATA policy or conventional ATA wisdom.

Nevertheless, ATA's original statement, the response contained in the letter-to-the-editor and ATA's instant rebuttal of that letter still did not catch my full attention. That attention came only when I read another statement on the Yousry case by NAJIT Director Judith Kenigson Kristy in the February 2006 edition of the *Chronicle*, a statement that received

the ATA official seal of approval and attendant imprimatur.

Since the ATA's instant rebuttal published in the December 2005 edition of the *ATA Chronicle* appeared to close the door to any further discussion of the Yousry case, I was quite mystified as to why the Association was unilaterally raising the issue again, but this time with much more forceful language.

What I did not know was that the *Gotham Translator* had published two articles on the Yousry case in its October 2005 edition, written by Marguerite Shore and Alison Dundy, respectively, articles that were critical of the ATA's position not just with respect to Mr. Yousry, but also with the Association's stance vis-à-vis interpreters assigned to terror-related criminal cases. Moreover, in the spirit of open and balanced discussion, the *Gotham Translator* also published in its December 2005 edition, a response to those two letters by Ms. Kenigson Kristy, the very same response that was published two months later in the *ATA Chronicle*.

However, Ms. Kenigson Kristy's piece published in the February 2006 edition of the *ATA Chronicle* was not accompanied by either Ms. Shore's article or Ms. Dundy's article. What this signifies was that, while the readers of the *Gotham Translator* were able to read all three (3) articles in full, the members of the American Translators Association were not allowed that opportunity. On the con-

trary, the ATA permitted only a cherry-picked version of the Shore and Dundy articles to reach its readers' eyes.

As I wrote to Ms. Shore, "While I absolutely love cherries, I much prefer to pick my own. I don't need ATA or NAJIT or Ms. Kenigson Kristy to pick 'em for me".

What I was witnessing here was vintage ATA behavior, and that behavior constitutes an issue that I believe is of equal importance to the Yousry issue, and may be of even greater significance. In other

...what we have here is the NYCT airing an issue in the style of PBS or NPR; we then have the ATA airing the same issue in the style of FOX News Channel.

words, what we have here is the NYCT airing an issue in the style of PBS or NPR; we then have the ATA airing the same issue in the style of FOX News Channel.

Mohammed Yousry was indicted, prosecuted, tried and found guilty in connection with acts that aided terrorist activities, acts which

also included, or derived from, his conduct as an interpreter, the allegation being that the crimes for which he was found guilty derived from those acts that were beyond the bounds of his role as an interpreter.

While the ATA-NAJIT statement of March 2005 is relatively benign, and to a certain extent vague and non-committal, Ms. Kenigson Kristy's statement certainly is not, and we must not lose sight of the fact that her statement has the full, unequivocal endorsement of both organizations; therefore what is reflected therein is not merely Ms. Kenigson Kristy's position, but the position of the ATA and NAJIT.

(continued on next page)

The ATA-NAJIT statement of March 2005 says "Our organizations take no position about the guilt or innocence of individuals involved in any criminal case."

Some 9 months later, Ms. Kenigson Kristy, speaking for ATA and NAJIT says "In the light of anticipated appeals, our associations have preferred not to publish statements containing concrete examples of some of the ETHICS issues in question".

Following that statement, Ms. Kenigson Kristy proceeds to give various and sundry detailed examples of what, in her estimation and consequently in the estimation of ATA and NAJIT, are violations of interpreter ethics. Regrettably, space limitations preclude me from giving Ms. Kenigson Kristy's detailed examples of Mr. Yousry's purported violations of interpreter ethics, all the time reiterating that she, the ATA and NAJIT "have preferred not to publish statements containing concrete examples of some of the ETHICS issues in question".

Clearly, the inconsistencies and the bias of Ms. Kenigson Kristy, the ATA and NAJIT are more than obvious. They are glaring. In fact, about three-quarters of the way through her letter, Ms. Kenigson Kristy (and therefore the ATA and NAJIT) demote(s) Mr. Yousry from interpreter to "interpreter", all the while implying that she, the ATA and NAJIT are neutral on the question of Mr. Yousry's guilt, and don't wish to make statements about his ethical transgressions!

Finally, having gone for the jugular, Ms. Kenigson Kristy removes the pronoun "I" from her vocabulary (possibly used by her to give the reader the impression that she has been expressing personal opinion) and replaces it with the pronoun "we" to make it very clear that the opinions advanced in this letter are indeed those of NAJIT and ATA, to wit:

"In OUR [emphasis added] view, a judi-

ciary interpreter is not doing his [sic] job when he [sic] does the following: (what follows are 7 citations of alleged violations of interpreter ethics and proper behavior, all pertaining to Mohammed Yousry)".

There is something very puzzling, if not phony about the approach taken by Ms. Kenigson Kristy and the two organizations for which she speaks: If Mr. Yousry's guilt was even partially predicated on his acts as an interpreter, acts for which he was found CRIMINALLY guilty, how does one say "Well, I am not saying he was criminally guilty for his acts, I am just saying that he was ethically guilty for those acts".

Suppose Mr. Yousry was found guilty of robbing a bank at gunpoint, but on the way out of the bank he had dropped \$100 in the hands of a crippled homeless woman and another \$200 in a Salvation Army kettle, would Ms. Kenigson Kristy and the good people of ATA and NAJIT say, "We can't comment on Mr. Yousry criminal guilt, but we commend his high ethical behavior of sharing his gains with the poor and underprivileged".

If Mohammed Yousry did, in fact, act in the manner of which he was accused by the government and found guilty by a jury, then talk of ethics is meaningless and, most certainly in that case, the issue of ethics cannot be plucked from the issue of the crime and discussed as if the crime were non-existent.

I believe that in their narrow focus on ethical issues in the Yousry case, ATA and NAJIT (and, of course, their current

spokeswoman, Ms. Kenigson Kristy) have not bothered to think through the total picture of ethics, particularly in terrorist-related cases, and here I am not referring so much to the Yousry case as to cases that could very well arise (if they haven't already arisen) in the future, with which ATA and NAJIT are evidently ill-prepared to cope (or perhaps don't want to cope).

One must ask whether organizations such as ATA and NAJIT have really thought through all the myriad issues of interpreter ethics and conduct in the very real and brutal world of political terrorism.

Almost ten years ago, the late Tom Snow, one of the founders of the New York Circle of Translators, raised the question of interpreter ethics in connection with prisoner interrogation and the use of extreme physical coercion or, if you prefer, torture. At the time, Mr. Snow's concerns about such prisoner interrogation and interpreter ethics were viewed by many as being somewhat "remote"

or even "exotic". But that was before September 11, 2001. It was before Guantánamo and Abu Gharaib.

One must ask whether organizations such as ATA and NAJIT have really thought through all the myriad issues of interpreter ethics and conduct in the very real and brutal world of political terrorism. Indeed, suppose Mr. Yousry had been an interpreter in an interrogation of a terrorism suspect by civilian authorities, an interrogation in which extreme physical coercion was employed, and suppose Mr. Yousry, repelled by what he was witnessing, walked off the job, reported his experiences not to the authorities (because of obvious reasons) but to the news media, and was arrested on various criminal charges.

Would in such case NAJIT and ATA condemn Mr. Yousry for ethical violations, e.g., failing to serve the judiciary process, failing to take a neutral position, failing to inform authorities of a conflict

of interest, namely his disgust at watching the results of electrodes placed on the suspect's testicles. I must wonder whether ATA and NAJIT and all those who quote "canons of ethics and conduct" have given any thought to this potential situation, a stark reality in the world of and struggle against political terrorism.

Political terrorism has changed the rules in this game that we call ethics, and the specifics of the Yousry case aside, it seems to me that both ATA and NAJIT are very ill-prepared to play the game. And there are very good reasons for my saying so:

The American Translators Association is incapable - and has proven itself to be incapable - of dealing with subjects that it finds "controversial". The National Association of Judiciary Interpreters & Translators has at least tackled some political issues that fall into the realm of "controversial".

I find it sad, but certainly not unexpected, that this case, which has such significance to us both as citizens and as professional linguists, has been treated so shabbily by the ATA insofar as it has not promoted an open and frank discussion.

Most regrettably, but not surprisingly, the discussion has been treated in that time-honored patronizing style of the ATA, i.e., "We know what we are talking about and know what is best for you. While we respect your right to have a different opinion [a statement that always conjures up the yesteryear phrase of 'We are not prejudiced against Negroes; some of our best friends are Negroes'], we really know what is right for you".

This reaction to and internal handling of the Yousry case has been without question the result of an historically-ingrained reluctance to confront tough and/or controversial issues, and also an historically-ingrained intolerance of dissenting opinions, particularly

opinions that dissent from established policy. Clearly, the use of the instant rebuttal technique, the publication of pieces that are favorable to its policies and policy views with only carefully selected references to the opposing viewpoint, and the outright censorship of viewpoints that are pointedly critical of official policy, are all manifestations of ATA's lack of confidence in itself and more importantly, in its members. Worse, this reluctance to address tough and/or controversial issues, this need to stifle opinion that is critical or even hyper-critical of official policy or official doctrine has left it incapable of dealing realistically with adversity.

What we have come to call by this abstract term "war on terrorism" has come to ATA's (and NAJIT's) front door, brought there by the fact that so many political terrorists speak, read and write foreign languages.

As you may have noticed, I have used the expression "political terrorism" and not just plain "terrorism". That was done deliberately for the following reasons:

Throughout its history, or more accurately for the past 36 years of its history, ATA has followed a course of staying as far away as possible from political issues (and obviously I exclude internal politics). Clearly, external politics has been designated anathema.

But through none of its direct doing, but rather through "la forza del destino", external politics have penetrated ATA. Today's terrorism is politically-driven; it is a political reality and the language factor is very much a part of that political reality.

It is certainly no secret that the ATA has

held itself out to the government as the ultimate expert on oral and written translation, key elements in the "war on terror". Even if ATA claims that this effort has been made solely out of PR considerations and to further the image and standing of translators and inter-

preters, it has nonetheless placed it in the political arena.

In line with this, Marguerite Shore has suggested privately that ATA has become extremely cozy with the US government and specifically with the FBI, a coziness which she implies has led it to condemn Yousry of being 'unprofessional' and to deny support to a

colleague who was doing his job and now stands to go to jail for many years.

If I hadn't had a chance conversation with a high ATA official who said precisely what Ms. Shore suggested, I would have thought that her suggestion was a bit exotic. Clearly, there may be more than just a modicum of truth to the charge that ATA's reaction (or lack of reaction, depending on one's viewpoint) has been motivated by political considerations.

I do not believe that we have heard the last of the Yousry case, but what is more, I believe that we are going to see more and more cases involving interpreters that will be "controversial", and worse, "politically controversial". And, unless ATA engages in an open and frank dialogue between its officials and members about the numerous problems confronting our colleagues who are in the trenches of terrorism-related cases, and about how we can help our colleagues who are wrongly accused or prejudiced, the organization's credibility will be open to even greater question. Its very own history has clearly demonstrated that. ■

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TRANSLATING ARABIC INTO INJUSTICE

by Zachary Lockman

Zachary Lockman chairs the department of Middle Eastern and Islamic studies at New York University.

I have been teaching modern Middle Eastern history for more than 20 years. I've helped train many graduate students, some of whom have gone on to become professors at universities across the country. But one of my current New York University graduate students, Mohammed Yousry, faces a very different future. Convicted a year ago of participating in a conspiracy to abet terrorism, he may be sentenced to as many as 20 years in federal prison.

Knowing Mohammed as I do, and having followed his trial closely, I am convinced that he is a victim of the kind of excessive prosecutorial zeal we have seen all too much of since 9/11. But his case is especially disturbing because what may put Mohammed behind bars is the work he did in good faith as a translator and an academic researcher. This would turn a travesty of justice into a very dangerous precedent.

A gentle and unassuming man, Mohammed came to this country from Egypt 25 years ago. He and his wife (an evangelical Christian) had a daughter who would eventually graduate from a Baptist college. Mohammed became a U.S. citizen. When I first met him in 1995, he was a graduate student at NYU, paying his tuition and supporting his family by driving a taxi and by working as a translator of Arabic for journalists and lawyers. One of the lawyers who hired Mohammed was Lynne Stewart, among whose clients was Sheik Omar Abdel Rahman, the blind former spiritual guide of a radical Islamist organization in Egypt who is now serving a life sentence for plotting to blow up New York City landmarks.

When Mohammed began to discuss pos-

sible doctoral dissertation topics with me seven or eight years ago, I encouraged him to write a political biography of Abdel Rahman, partly because his employment as a translator for Stewart gave him unique access to the imprisoned cleric. Though a lifelong secularist and democrat who totally rejects Abdel Rahman's extremist version of Islam, Mohammed started gathering material on the cleric for his dissertation, and even interviewed him about his ideas and political career during government-authorized prison visits with Stewart.

Mohammed's diligence as a translator and an academic researcher would cost him dearly. In April 2002, he was arrested, along with Stewart and one of her paralegals. They were accused of conspiring to provide material support to terrorists. Two years earlier, Stewart had told a reporter that the imprisoned Abdel Rahman opposed a cease-fire that his supporters had negotiated with the Egyptian government. Though no act of violence ever resulted, the U.S. government claimed that Stewart had not only violated government regulations — which she had agreed to follow — restricting communications with Rahman but that she had also abetted terrorism.

Whatever Stewart may have done, however, it is hard to see how Mohammed can be held responsible for her actions. As a government-approved translator, he was never even asked to agree to the regulations Stewart was accused of violating, and he had no reason to question the lawfulness of his employer's instructions. During the trial, prosecutors made contradictory arguments. They insinuated that Mohammed had knowingly broken the law in order to further

his scholarly research, and even that he was an acolyte of Abdel Rahman. But they also acknowledged that Mohammed had never advocated violence or Islamic fundamentalism. My guess is that the real reason they went after Mohammed was to get Stewart: She knew no Arabic, and Abdel Rahman knew very little English, so without including Mohammed in the alleged conspiracy, prosecutors wouldn't have had much of a case.

Mohammed, shellshocked by what has happened to him, faces sentencing in March, though appeals will surely follow. Many lawyers have rallied to Stewart's defense because they believe that the government targeted her in order to deter other lawyers from zealously defending clients accused of terrorism, and because they feel that her case raises serious constitutional issues.

Mohammed's prosecution raises somewhat different, though equally disturbing, questions. Should a translator be sent to prison for following his employer's instructions, especially when the prosecution failed to prove that he intended to break any law? Can a graduate student's dissertation research reasonably be construed as contributing to a conspiracy to help terrorists?

If Mohammed's conviction is allowed to stand, we may well see other translators prosecuted for doing their jobs, and other scholars facing jail terms for conducting research on controversial issues. That would undermine core values we profess to cherish, including academic freedom and other civil liberties. It would also weaken our ability to understand Muslim extremism and successfully confront it. ■

LOST IN TRANSLATION

by David Cole

Translation is the art of erasing oneself in order to speak in another's voice. Good translators speak for others, not for themselves. So when NYU graduate student Mohammed Yousry took on the job of translating Arabic for lawyers representing Sheik Omar Abdel Rahman, the blind Egyptian cleric convicted of conspiring to bomb several bridges and tunnels around

Manhattan, Yousry agreed, like any good translator, to follow his lawyers' lead. For doing his job, he now faces the possibility of twenty years in prison as a supporter of terrorism. He is scheduled to be sentenced in a federal court in New York in September.

His case has received far less attention than that of his more prominent co-defendant, civil rights attorney Lynne Stewart, but if anything his conviction is even less defensible. I criticized Stewart's conviction last year [see Cole, "The Lynne Stewart Trial," March 7, 2005]. Stewart undoubtedly contravened an administrative agreement when she issued a press statement on behalf of the sheik at a time when she had sworn not to facilitate his communications with the general public. But failing to adhere to an administrative agreement is not a crime, so prosecutors trumped up the charges by claiming that she had criminally defrauded the government and provided material support to terrorism. They then tried her and Yousry

in the most prejudicial way possible.

They played irrelevant tapes of Osama bin Laden for the Manhattan jury. And they refused to sever the trial of Stewart and Yousry from that of Ahmed Sattar, who had engaged—without Stewart's or Yousry's knowledge or approval—in egregious and plainly criminal conduct, issuing a fake fatwa from the sheik urging followers to "kill Jews everywhere."

Yousry and the sheik were often the only ones in the room who spoke Arabic. Had they truly been co-conspirators, they could have plotted all sorts of illicit activities without the lawyers or the guards knowing.

about what could be communicated to the sheik, and about what could be said about the sheik to the outside world. It was Stewart's decision, not Yousry's, to issue the press release in question, and he played no role in that decision. In fact, Yousry, a non-practicing Muslim married to a Baptist who raised their daughter as a Christian, was never a follower of the sheik and had publicly accused the sheik of seeking to replace one form of totalitarianism in Egypt with another.

The government's theory was that by translating the sheik's words, which Stewart eventually issued in the press release, Yousry was a co-conspirator in

the crime. But the notion that Yousry was a conspirator is belied by the record. Unbeknownst to Yousry, the government taped the prison meetings with the sheik, as well as Yousry's phone conversations. In the prison meetings, Yousry and the sheik were often the only ones in the room who spoke Arabic. Had they truly been co-conspirators, they could have plotted all sorts of illicit activities without the lawyers or the guards knowing. Yet the tapes show that Yousry never talked to the sheik about anything that was not approved in advance by the lawyers, and never communicated the sheik's words to anyone other than the legal team. Yousry consistently sought advance approval from the lawyers as to what he could discuss with the sheik and adhered to their instructions at every stage.

Following the lawyers' lead would not be a defense in every situation, of course. Had Stewart told Yousry to shoot one of the guards to assist in a jail break, it would be no defense that he followed her instructions. But translating the sheik's words was exactly what Yousry was hired—with government approval—to do. The lawyers then decided what to do with that information. It was not Yousry's decision. But it is Yousry's freedom that will be taken away. ■

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TRANSLATION TOOLS SEMINAR

AN ATA PROFESSIONAL DEVELOPMENT EVENT

JERSEY CITY, NEW JERSEY, MAY 13, 2006

Reviewed by Rosene Zaros

Although this was the second time in less than a year that I attended one of Jost Zetsche's seminars, I found it every bit as interesting and informative as the first time around. In fact, it made me think that it would be a good idea to attend a seminar like this every year. There is so much to learn and Jost makes it a fun-filled process.

He began by giving us some interesting statistics on the degree to which translators utilize the tools that are available to them. Out of a total of 300,000 translators and interpreters worldwide, only 30-35,000 of them use the internet regularly and only about 10-15,000 use translation memory technology. Becoming a proficient computer user may be one way to distinguish ourselves and compete.

Concentrating on the *Windows* platform and applications, Jost gave specific instructions and tips for fine-tuning operating systems and applications to suit the needs of individual translators. Why *Windows*? Although it may not be the best operating system, there is always the issue of compatibility. He talked about the advantages of *Windows 2000/XP* vs. earlier versions. These include greater stability, additional applications, and multilingual editions offering the possibility of booting in other languages, and Unicode, which is a way of processing all known languages.

He gave many tips for using *Windows Explorer* effectively and for maximizing the power of *Windows*. One tip that is very easy to pass on: Do not turn off your computer! Although you may feel that you are wasting electricity, it is infinitely better for your computer to leave it on. You may also want to take a look at the programs that are on your *Startup* menu. There may be some that you do

not need or want and they may be slowing down your computer.

In his discussion of HTML Editors, Jost had two big caveats: Never use *Word* for HTML unless the client specifically asks you to do so and only use "intrusive" HTML editors if the website was created with them. He spoke of spiders such as *Teleport* that allow for the download of complete websites. Although they are not suited for translation, they are good for estimates.

Jost was very enthusiastic about a number of free or very inexpensive utilities that can be downloaded and some advice on which ones to avoid at any price. There are utilities to search and replace, to search with regular expressions, indexing tools, tools for renaming batches of files, for "touching up" date- and timestamps, clipboard utilities and compression utilities such as *PKZip* and *WinZip*. While *Word* can perform almost any of these functions, it is another question whether it is the best tool for the job. It brought to mind an old adage: "A poor workman blames his tools; a good workman would not use poor tools."

Unlike the previous seminar I attended, this time Jost spent more time on *CAT Tools*, which he defined as "all tools that aid in the translation process. He touched on the following categories:

- project management applications such as *LTC Organiser*, *Translation Office 3000*, and *[project-open]*
- Term extraction tools such as *Zerex XTS*, *LogiTerm*, *TermExtract*, *SDLPhraseFinder*.
- Word count tools such as *PractiCount* and *AnyCount*.
- Localization tools
- Machine translation programs

- Translation environment programs, which he feels is a better term for translation memory tools.

Jost expanded on the latter category by classifying these programs into two sub-categories:

- Tools that perform all or most work through macros in *Microsoft Word* and, thus, may not be great for pdf files.
- Tools that let the translator work in an independent environment.

He spoke of the similarities that exist among all the major tools (*Trados*, *SDLX*, *Transit Déjà Vu*):

- Configurable terminology component
- Unicode and TMX support
- Alignment feature
- Similar range of supported file formats
- Concordance searches
- Analysis features

During the seminar, we were given a handout with many useful links, tips and tricks. We also received a copy of the latest edition of his 200-page e-book *Translator's Tool Box : A Computer Primer for Translators*. The book is available on line at www.internationalwriters.com/toolbox/. You may also subscribe to a free Tool Kit newsletter at www.internationalwriters.com/toolkit.

About the Speaker: Jost Zetsche is an ATA-certified English>German translator and a localization and translation consultant. A native of Hamburg, Germany, he earned a PhD in the field of Chinese translation history and linguistics and began working in localization and technical translation in 1997. In 1999, he co-founded International Writers' Group on the Oregon coast. His computer guide for translators was published in 2003 and he now sends out a biweekly technical newsletter for translators.

TRADOS OVERVIEW

by Lana Rachkovskaya, Program Director

In an effort to make our readers aware of the various workshops and seminars, we are printing an overview of the workshop presented by Wim Schrieks, technical lead for Bowne Translation Services.

The presenter made the audience aware of the role that will be played by CAT and TM tools as we make our way through the 21st century and of ways that we can use these tools to enhance our translations and, ultimately, our incomes. We are all at different stages in our ability to work with these tools and, thus, we have limited our coverage of the workshop to a brief overview of the functions of Trados.

TRADOS OVERVIEW

CREATING MEMORY

1. Open Workbench
2. Go to **New**
3. Set Source language and Target and click **Create**
4. Give the file a name that makes sense for you and remember where you save it. It is recommended to include customer or project name and language combination.

Please note that 5 different files were created all with same name. These files need to stay in the same folder. It is recommended not to change the file names. If any of these files is deleted or its name has changed the translation memory will not work anymore and in most cases it will be irreparable.

The memory is empty. There are different ways to get translations into the Memory.

Below I describe the 3 most common ways.

ADDING TRANSLATIONS TO TM WHILE TRANSLATING A DOCUMENT

- Open Workbench
- Open MS Word

Prepare your screen in a way that you can see both windows at the same time. If TRADOS is properly installed there is a TRADOS toolbar and a TRADOS menu available in MS Word. (see hand-outs of meeting)

1. Place your cursor at the first sentence.

2. Click button **Open/Get**
3. Types translation in box that opens
4. Click button **Set/Close Next Open/Get**
5. Your translation is saved in the Memory and the next box opens for translation
6. You continue with the translation until the document is translated
7. If a segment was translated before TRADOS will place that segment
8. If a similar segment was translated TRADOS will show you a *fuzzy* match; in Workbench you can see what the difference is.
9. TRADOS will save the source text as hidden text. Check **Tools > Options > Formatting Marks > Hidden Text** to make this text visible.

ALIGNING EXISTING TRANSLATION

If you have both source and target of a certain text you can add the translations with WinAlign. WinAlign will allow you to connect a sentence from the source document with its translation in the target document. Before you start you need to make sure the source and target contain the same content, are saved in the same file format and have similar formatting.

Winalign works as follows:

1. Open WinAlign

On tab *General*:

2. Set source and target language
3. Choose **File Type**

On tab *Files*:

4. Add the source file under the source language and target file under the target language
5. Click **Align file name**

The window *Project*:

6. Doubleclick on file name

A window will now popup that shows you left the source document and right the target. WinAlign suggest with dotted lines which segments belong together.

7. Scroll through the list and review every pair. With the right mouse click options you can delete connections and make new connections. If you place the cursor in the text you can edit the text, with the right mouse click options there you can also split segments and add segments.
8. When done. Go to **File > Export File Pair**
9. Open then Workbench
10. Open the correct Translation Memory (see above) or create a new one.
11. Go to **File > Import**
12. Import the file you just exported in WinAlign (it is a text file)

USING AN EXISTING TRANSLATION MEMORY

This will happen when your customer requires you to work in TRADOS. There are 2 scenarios:

Customer sends a Translation Memory:

1. It should contain all 5 necessary files
2. Copy them in the same folder and doubleclick on the *.tmw file. The

(continued on next page)

memory opens in Workbench. You can now start translating.

NB: This method will not work if you are using an older version of TRADOS then your customer.

Customer sends an export file from the Translation Memory

The procedure is the same as for importing the results of an alignment (see above). This procedure has the advantage that it is version independent. If you have an older version then your customer you still can work with this file. (except between version 7.* and older versions if you are working with non Western languages)

OTHER BASIC FUNCTIONS

Tools > Analyze

- Gives you a word count, number of fuzzy matches and repetition.
- Useful for planning and billing.
- Note that TRADOS does not count segments that do not contain translatable text. (For instance a cell in a table with only numbers)

Tools > Translate

- Allows you to pretranslate a file.
- TRADOS will search in TM for segments that were already translated and add them to the document.
- You can choose to translate only 100% matches or also fuzzy matches
- Useful if already large parts can be translated

Tools > Clean

- Will remove the TRADOS 'hidden text' and will give you a clean target file
- Allows you to update the translation memory with changes made
- Updating the memory with Clean is useful if you share a file with another translator and that translator made changes

Tools > Concordance

- Allows you to search for terms in the Translation Memory

(continued from page 3)

In March 2005 Slavica started radiation treatments to the brain and commenced a new regimen of chemo therapy at Sloan-Kettering. The trips to receive these treatments were in and of themselves exhausting.

The ringing noises in her right ear never went away and Slavica had to stop interpreting. However, she started to get more work doing translations and was kept especially busy doing sub-title work for movie translations. In fact, although Slavica was hospitalized four times in 2005, she often did translations on her lap top while being hooked up to IV's. Her Doctor at Sloan Kettering used to laugh and say "Slavica, you are the only patient I know of that comes to the hospital and works". Oddly enough, in 2005 the Circle also found itself in a precarious position. There was no President-Elect and the President's term had expired leaving only three Board members: the Secretary, the Treasurer and the Program Director. Slavica read over the By-laws along with Robert's Rules of Order and figured out that the three-member board could appoint a President and the President could then appoint a President elect. Slavica, threw her hat into the ring and by July, after finding a substitute Program Director, had single handedly created a full Board of Directors with herself as President. In addition to establishing a functional Board of Directors, there were some financial issues that had to be remedied. Slavica, in her most direct, dignified but stern manner made sure that the treasury issues were quickly resolved and that a new contract was entered into to upgrade the Circle's web-site .

All in all, Slavica not only kept on top of her personal issues but the issues of the Circle as well. Unfortunately, towards the end of 2005 it was no longer possible for Slavica to do anything by herself. It was necessary for Slavica to have someone with her at all times and she needed to have an arm to hold when leaving the house. Through all this, Slavica not only accomplished so much but she remained in high spirits. Very often, she would apologize to others for their having to help her and yet she never complained or got down in the dumps. The end came on the afternoon of June 2nd Slavica was in bed at home with her mother, her son, and her loving partner by her side. With her in that room were the people she loved and cared for and who loved and cared for her as well. Oh, yes, and not far away were all her friendly books, a collection of *National Geographic*s, and 40 CD's of the greatest classical music compositions you can find. Slavica's perseverance, integrity, tenacity, professionalism and love of people put her right up there with those great writers and composers. Why? Because she was one fine lady with a lot of class.

Slavica's Memorial Service will be held on Saturday July 15th at 6 p.m. at the West End Church on the corner of 86th Street and Amsterdam Avenue, New York, New York. The service will include singers, guitar players, pianists and readers of poems Slavica herself selected. Apparently, she still has a message to share and all are welcome to attend this fine tribute. ■

NYCT MAY MEETING

SPEAKER: MARK RATAFIA, BEACON PARTNERS, CPA

TOPIC: TAX PLANNING AND SAVINGS

THURSDAY, MAY 4, 2006

by Lana Rachkovskaya

The speaker covered legal / tax structures that are most operationally efficient for freelance translators and businesses, basic income tax concepts, employee/employer relationships vs independent contractors, as well as what to expense, when to expense it, record-keeping, and tax filings. This was a great opportunity for all of us to ask questions and to better understand how to manage our taxes as independent contractors in order to save.

Mark Ratafia started his professional career in the corporate tax department of KPMG Peat Marwick, a leading global professional services firm. He later joined American Express Tax & Business Services in New York City, where he was responsible for managing tax functions for a diverse clientele, including domestic and international corporations, partnerships, individuals, trusts and estates. Prior to founding Beacon Partners CPA, Mark was a Director of Taxation at Geller & Company, a firm of 250 professionals that provides accounting and tax solutions to Bloomberg, LP as well as a host of private equity and venture-backed companies. Mark earned his MBA in Accounting and his Masters of Science in Taxation from Fordham University Graduate Division. He is a member of both the American Institute of Certified Public Accountants and the New York Society of Certified Public Accountants.

A noted speaker, he has conducted seminars on a variety of tax and accounting topics, and has authored numerous technical articles. For more information on Beacon Partners CPA, please go to www.beaconcpa.com.

Mark began by explaining what cannot be deducted on our tax returns, such as clothing, improvements to summer home, and other expenses of the personal nature. He also pointed out that it is extremely important that taxes are filed in a timely manner. If you take an extension, that does not mean extending the time to pay. If you start a pattern of late filing, you will lose credibility with the IRS. In conclusion, the two most important things to remember are: file on time and be certain that your tax return reflects your business activity and only your business activity.

Mark further proceeded to discuss how one can maintain accounting records. There are several methods: credit cards, checks, diary and Quick Books. According to Mark, most people use Quick Books now. It is easy to use and to maintain.

Mark also recommended that freelance translators have a business account. This way it is much easier to track all business expenses and income. It is also easier for IRS to see where the money went and where it came from, rather than

going through your personal account information where personal expenses are mixed with business expenses. It is also useful to have a separate credit card for your business expenses. When you travel on business, Mark recommends that you keep a diary of your business activities and expenses, which will make it easier for you to prove that the expenses are business-related in case you get audited.

Then the audience proceeded to ask a variety of questions related to filing, expenses and tax records, as well as what can be expensed when you work from home and when you own a home.

Mark also commented on the issue of employer/employee relationships and how the IRS sees those relationships. Although it is a gray area, in short, an employee could be described as someone who works in your office, takes direction on how to do his/her job and is supervised. An independent contractor is someone who works independently and has all the tools and resources to perform a certain task. What is relevant to our business is that, when you hire a translator, editor or an interpreter, it is your responsibility to issue a 1099 to them. A Form 1099 is the only way the government can check that the freelancer has been paid. The deadline for issuing the 1099 is January 31. Mark also mentioned the 20 Factor Test—you can google it. This is how the IRS determines if your professional relationship is employee/ employer or if you work with an independent contractor. Such factors as training, Mark tells us, can change everything. It is certainly worth knowing.

(continued on next page)

If you misclassify an employee as an independent contractor, and you do not pay employment taxes, you may be liable for significant interest and penalties. As this is an area of significant revenue for the government, compliance is strictly enforced.

Furthermore, payroll tax liabilities are the personal responsibility of company officers, even in a corporation.

We also were able to talk about the various legal structures of a company and the audience had a chance to participate. Of course, the main concern for everyone is what would be better for me — LLC, Incorporated, S-Corporation, etc. The answer is — talk to your accountant. S/he will consider your personal situation and you will be able to get the right answer.

A business can be formed as a Corporation, a Partnership, a Limited Liability Company (LLC), or a Sole Proprietorship.

CORPORATION

A corporation is a legal entity chartered by a state that is separate and distinct from the persons who own it. A corporation may own property, incur debts, sue or be sued. Some distinguishing features of corporations are that stockholders have limited liability (they can only lose what they invest), transfer of ownership is accomplished through the sale of stock

LEGAL ENTITIES & TAX STATUS			
Legal Entities	Tax Status	Major Advantages	Major Disadvantages
Sole Proprietorship →	• Sole Proprietorship	Simplicity	Personal Legal Liability Social Security Tax
Partnership →	• Partnership	Flexibility	Setup of Partnership Agreement Social Security Tax
Corporation →	• C Corporation	Separate Legal Entity	Double Taxation
	• S Corporation	Separate Legal Entity Flow-Thru Taxation	Limited to US Citizens
LLCs →	• Sole Proprietorship	As Above	As Above
	• C Corporation	As Above	As Above
	• S Corporation	As Above	As Above
	• Partnership	As Above	As Above

shares and it has perpetual existence.

PARTNERSHIP

A partnership is a business venture having at least two owners ("partners") who agree to pool their funds and talents and who will share in the profits and losses of the enterprise.

General partners are those who are responsible for the day-to-day management of activities, whose individual acts are binding on all the partners, and who are personally responsible for the partnership's total liabilities. Limited partners are those who contribute only money and are not involved in management decisions and whose liability is limited to the amount of their investment.

LIMITED LIABILITY COMPANY (LLC)

A limited liability company or "LLC" is a legal entity form that provides limited liability for its owners ("members") similar to a corporation, but may be taxed as either a partnership or corporation if

there are two or more owners. If the LLC has only one member, it is taxed as a sole proprietorship. Since it has the legal advantages of a corporation and the flexibility of a partnership, this is often the optimal form of many privately-held businesses.

SOLE PROPRIETORSHIP

A sole proprietorship is the simplest and most common form of small business. It is an unincorporated business with a single owner who is personally liable for business debts and claims against the business. The operating results of the business are reflected on the owner's personal tax returns and are considered self-employment income.

The meeting was certainly most useful, and I am sure many of us left with various items to put on our to-do lists. As they say, knowledge is power, and it is in our own interest to educate ourselves and to protect ourselves when dealing with tax filing and records. ■

Note: This article should not be considered as legal advice.

CIRCLE NEWS

■ MIDSUMMER PICNIC

Sometime in July. More information will be forthcoming. ■

■ MEMORIAL SERVICE FOR SLAVICA

Saturday, July 15, 2006 at 6 PM at the West End Church on the corner of 86th Street and Amsterdam Avenue, New York, New York. ■

■ CHARLES M. STERN AWARD — REMINDER

Nominations for the Stern Award will be due in a few months. As mentioned in an earlier Gotham, the award was created in the late 1990s as a bequest from Charles M. Stern, a former member. It is awarded annually to active, needy members of the Circle, one male and one female. So please start thinking about possible candidates. The nominations should be in writing, and contain a brief biography of the candidate, and some documentation of how the award would be applied. ■



■ STANDARD BILINGUAL LEGAL DICTIONARY JAPANESE/ENGLISH AVAILABLE ONLINE

The Japanese government's official English translations of certain (about 230 pages worth) Japanese legal terms is available online. The following url links to a (3MB) pdf

on the Japanese Cabinet Secretariat's site that contains the dictionary:

<http://www.cas.go.jp/jp/seisaku/hourei/dictionary.pdf>

More information can be found on this page of the Cabinet Secretariat's web site:

<http://www.cas.go.jp/jp/seisaku/hourei/data1.html>

...including this link to a site containing further links to English translations of some Japanese laws and regulations:

<http://www.cas.go.jp/jp/seisaku/hourei/data2.html>

— from Kyal Hill, Legal Translator,
Mori Hamada & Matsumoto

CALL FOR PAPERS

The Gotham Translator accepts and welcomes contributions of articles about all aspects of translation and translator-related issues. These may include, but are not limited to, specific translation problems or approaches to translation, legal issues, and the business of translation. We also welcome dictionary and hardware/software reviews as well as reviews of books, conferences and workshops. The "Members' Voice" section of each issue is devoted to translations, stories, and poetry written by members.

In general, articles and other submissions should be limited to around 1500 words. All text should be submitted as e-mail attachments in Microsoft Word format. We prefer unpublished contributions. In the case of previously published submissions, please advise us of this fact at the time of submission. ■



**THE GOTHAM
TRANSLATOR**



The New York Circle of Translators (NYCT) is a New York State not-for-profit corporation grouping independent translators and interpreters as well as companies and organizations. It is a chapter of the American Translators Association (ATA) which is, in turn, an affiliate of the International Federation of Translators (FIT).

NYCT members work in a variety of languages and specialties. Our members are committed to the exchange of ideas and mutual support. One of our goals is to educate the general public about the professional nature of interpreting and translating.

NYCT members enjoy the following benefits:

- Free monthly meetings featuring speakers on all aspects of the translation profession
- Networking opportunities at monthly dinners and annual holiday party
- Professional development workshops and seminars
- Subscription to our newsletter, *The Gotham Translator*
- Listings in the NYCT Online Membership Directory and the annual NYCT printed Membership Directory
- Referrals (if you indicate that you accept them, existing members may direct work requests to you or clients may contact you directly)

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