

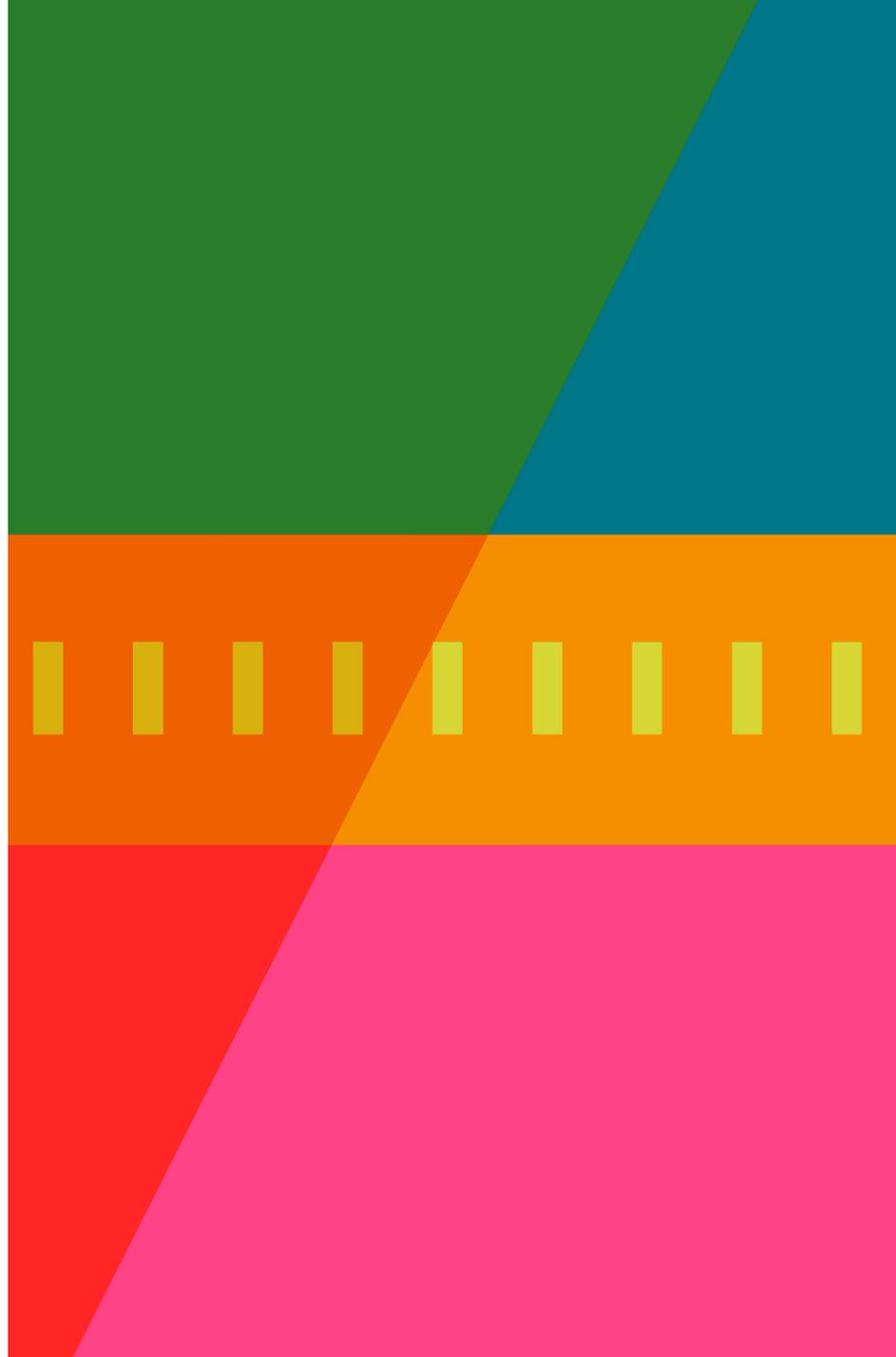


Lots About LOTS: When the Party Speaks a Language Other than Spanish

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Video clip

<https://youtu.be/UBLuaoGXOBg>



Introduction

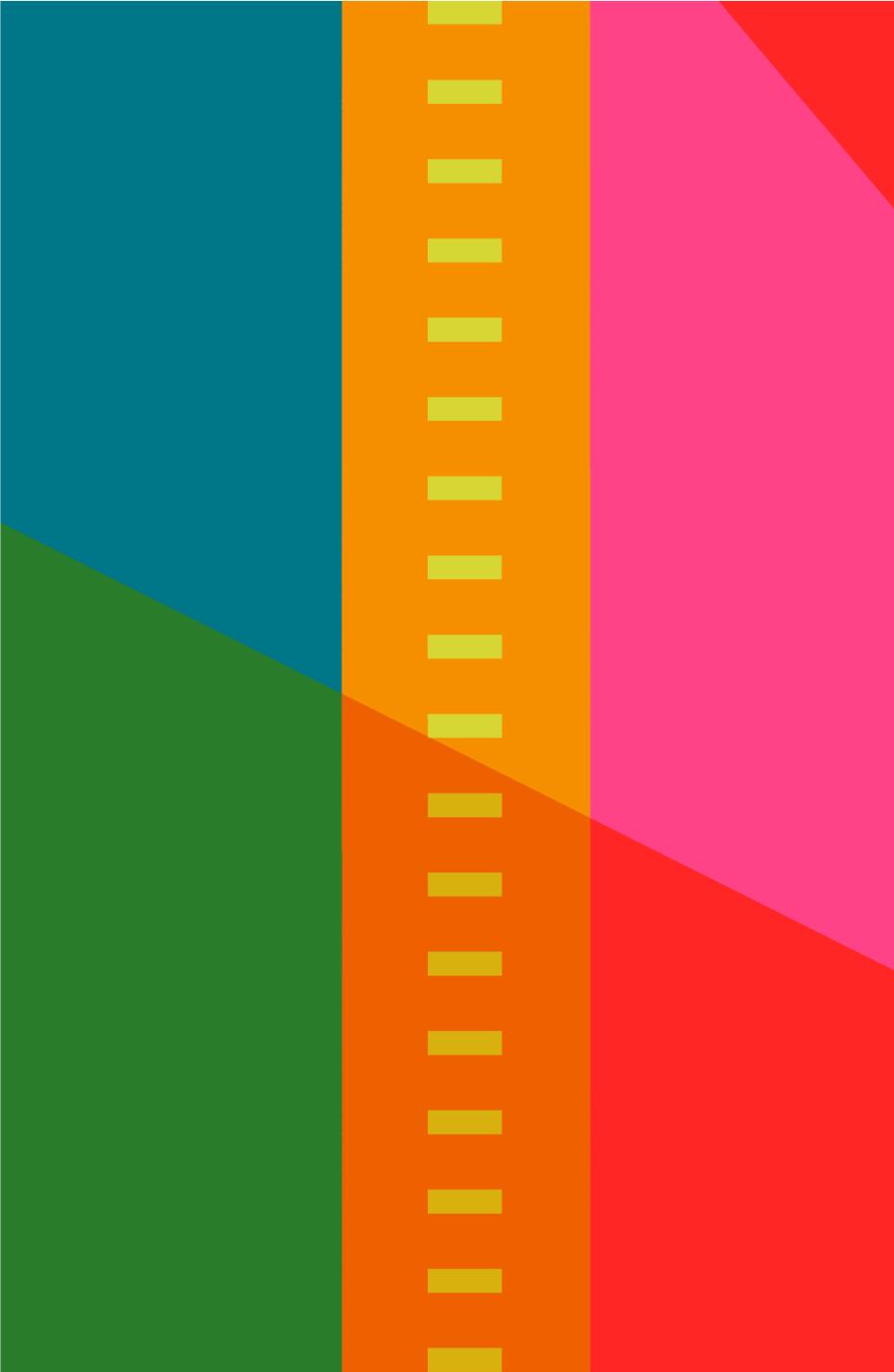
Historically –

- Although the majority of parties requiring an interpreter in New Mexico and the U.S. Southwest are Spanish-speakers, this is not always the case.

Increasingly –

- Due to migration trends, parties requiring an interpreter speak languages other than Spanish.
- In particular, indigenous languages of Mexico, Central and South America.
- But various European and African languages as well.





Why does this matter?

- **Title VI of the Civil Rights Act of 1964**, which prohibits discrimination based on national origin (interpreted to include language) and other key laws including the Affordable Care Act (Section 1557), and the ADA guarantee language access in our courts and any federally funded entity.
- Interpreters as providers of front-line services to LEP parties are by default tasked with responding to situations requiring an interpreter of a language other than Spanish (LOTS)
- It is our professional and ethical duty to exercise due diligence to ensure meaningful language access for LEP individuals.

Framework for addressing this need:

- Identifying NES, LEP, ZEP, ILS, LSP parties – meaning of acronyms; unique needs of each
- Language vs. Dialect
- Ways to identify the correct language and variant spoken by the party.
- Resources for locating LOTS language services providers.
- An overview of some of the most commonly encountered indigenous languages of Mexico and Latin America.

Language vs. Dialect?

A language is a system of communication, whether spoken, written, or signed, that adheres to unique grammatical rules, vocabulary, and pronunciation.

- A dialect is a variation within a language – can vary with respect to accent, pronunciation, vocabulary, syntax and grammar.
- Speakers of different dialects of the same language may understand each other to some degree, but not entirely.
- Historical, social, and political factors have led to indigenous languages being incorrectly referred to as “dialectos” which perpetuates a view of them as inferior to the dominant language.
- The preferred term currently used by linguists is “variant.”

Ways to Identify Correct Language/Variant

Ask the party what languages (pl.) they speak rather than singular.

Ask follow-up questions to determine which one they would feel most comfortable proceeding in, e.g., what do you speak at home? Have you attended school? In what language were your studies?

- To identify the correct **variant** of a particular language, ask for the party's place of origin with specificity – country, region, city/town/village.
- Be aware that variants and even distinct languages can be found between geographic areas in close proximity to one another.

Resources for Locating LOTS Providers:

- National Court Interpreters Data Base (NCID)
- State-credentialed interpreter databases
- Professional Interpreter Organizations – (NAJIT, ATA, etc.)
- Interpreter agencies
- University Graduate programs
- Embassies and consulates



Topics to Discuss With LOTS Interpreting Service Provider:

- Precise language/variant needed
- Type of proceeding
- Estimated duration
- Mode of interpretation – Simultaneous/Consecutive/Relay
- Modality – Remote/in person; Platform?
- Technical needs: equipment, e.g. iPad, headphone/mic
- Additional services: document translation; language confirmation
- Rates
- Procurement process



Language Families

- Mayan – more than 30 distinct variants across Mexico, Guatemala, Belize, Honduras

Includes K'iche', Kanjobal, Kaqchikel, Mam, Tzotzil, Tzeltal, Tojolabal, Akateko, Popti, Chuj

- Yuto-nahua – 30 variants of Nahuatl
- Oto-Mangue – includes Mixteco with 80 variants and Zapoteco with 62 variants





“The greatest biolinguistic diversity is found in areas inhabited by indigenous peoples, who represent around 4% of the world’s population, but speak at least 60% of the world’s languages”.
(Nettle and Romaine)

Concluding Remarks



“In our languages lies the accumulated knowledge of humanity.”

Questions & answers

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