



NOTA BENE

Vol. XXV, No. 2

September 2007

Annual Dinner Meeting

Friday, October 12, 2007

Ricky Ly's Thai Classic Gourmet

2500 Central Parkway
Beachwood, OH 44122
(216) 360-9384

Price: \$25.00 per person

RSVP by Friday 10/5

John Shaklee

events@notatranslators.org

Map and Directions on page 5

NOTA Executive Board Meeting

September 6, 2007

The NOTA Executive Board met on September 6, 2007 at Ricky Ly's Thai Gourmet Restaurant in Beachwood.

Present were Jill Sommer, John Shaklee, Lee Wright, Reinhold Federmann, Cindy Hazelton and Amanda Ennis.

Annual Meeting: The Board finalized plans for NOTA's 2007 Annual Meeting, which will be held on Friday, October 12 at Ricky Ly's Thai Gourmet Restaurant in Beachwood. Directions will be sent out with the invitation to members. Cost will be \$25.00 per person, payable to John Shaklee by October 5. This will be a celebration of the 30th year anniversary of NOTA and we will be honoring several of our founding members, so we hope to have a large turnout.

NOTA BENE Editor: Jill discussed the need to find a new editor for the *NOTA BENE*, as Waltraud will be retiring in the near future. The Board felt that this position could be shared by two members. We will discuss this further at our annual dinner meeting.

Holiday Party: Our annual holiday party will be held in early January. Date and location will be announced at the dinner meeting in October.

Upcoming Seminar: Our next continuing education seminar will be titled *The Business Side of Translation*. It will take place in February 2008. Members who would like to speak or present ideas on running a translation business are asked to contact one of the board members.

Membership. Lee Wright reported that we currently have 115 members. Dues have been paid by 60 members; those who

continued on pg. 5

Our newsletter editor and former president Waltraud Knudsen has decided to retire. We want to take this opportunity to thank her for her many years of support and service. She was a founding NOTA member, joining in 1977, and served on the Executive Committee numerous times; as treasurer from 1982-1988, as president from 1988-1992 and as program chair from 1992 to 1994. She was an excellent resource for us all, and her Christmas parties and Glühwein will never be forgotten. We wish her much happiness and good health in her retirement.

Sincerely,
The NOTA Executive Committee

In this Issue:

President's Message	Pg. 2
Welcome to the World of Forensic Linguistics	Pg. 3
Directions to Ricky Ly's	Pg. 5
Reminiscing	Pg. 6
New Members	Pg. 8

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NOTA BENE is published by the Northeast Ohio Translators Association, a chapter of the American Translators Association.

Other newsletters are welcome to reprint materials from NOTA BENE, provided they acknowledge the source and send us a copy.

2006/2007 NOTA Executive Board

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NOTA membership fees:

Individual:	\$25.00/yr
Corporate/Institutional:	\$35.00/yr
Student:	\$15.00/yr

President's Message

I have just returned from a few days off in Grand Haven, Michigan, where I enjoyed the local Coast Guard Festival and my dog enjoyed racing along the coast of Lake Michigan at a dog beach in Muskegon. I also bought a top-of-the-line Herman Miller desk chair (<http://www.hermanmiller.com/>) and look forward to putting it to good use. Herman Miller is the leading manufacturer of ergonomic furniture. Since we sit at our computers for so many hours a day, it is worth buying the best desk chair you can afford.

If you aren't receiving e-mail notifications (jobs and upcoming events) from me, it may be because your e-mail is bouncing. After three unrecognized recipient or bounce messages I delete the e-mail from my distribution list. At the moment I am getting bounce messages for claudiagmosso@velocity.net, diana.mcgraw@charter.net, jniederkoehr@windstream.com, tbomback@french-trans.com, mallcorn@walsh.edu and murat@turkishtranslator.us. Please contact me at gertoeng@jill-sommer.com with your latest e-mail address.

The ATA Medical Division Mid-Year Conference was a huge success. It was held at the Intercontinental Hotel from May 31st-June 3rd. We had one registrant from the U.K., but unfortunately she had to cancel due to visa problems. The 75 people who did attend really enjoyed the presentations by the Cleveland Clinic physicians, including Anne Chemali's husband Kamal. They also enjoyed several events after hours in Cleveland, including the Little Italy Art Walk, the Cleveland Indians baseball game, and the Cleveland Cavaliers celebration when they won the division. The participants also raved about the facilities at the Intercontinental. Local attendance was unfortunately a little meager. I hope those of you who did attend enjoyed yourselves.

Attendance at our summer picnic was unfortunately also low. We were able to welcome two new members to our group and most of the NOTA officers were in attendance. The weather was gorgeous, and we all enjoyed the plentiful feast of outstanding food. Waltraud Knudsen's blueberry cheesecake, the Federmanns' chicken and spaetzle, and Aki Takemoto's Japanese chicken were highlights for me. We ended the picnic with a brief walk on the Metropark trails, led by Myriam Raynier-Neal and her daughter.

We are still working on organizing our next seminar, "The Business Side of Translation." We decided to hold it in early 2008. It will cover software that tracks your income and expenses, jobs, invoices, etc. and the use of Excel in tracking your workload (tracking word counts, open jobs, etc.), among other things. If you use a tool you would like to share with us such as Translation Office 3000 or Quicken, please contact John Shaklee at jshaklee@neo.rr.com.

Jill Sommer

Welcome to the World of Forensic Linguistics

by Natasha Curtis

A branch of Applied Linguistics, Forensic Linguistics is not considered a discipline in itself¹. However, research has revealed that there is a powerful crime fighting and prevention tool in the interface between language, crime and the law.

The application of scientific methods and processes to matters that involve crime or the public is a broad definition of *forensic science*. Historically, the multidisciplinary nature of forensic science has included specialties such as chemistry, biology, toxicology, entomology, pathology, dentistry/odontology, anthropology, sociology, psychology and political science, but now linguists also have begun examining such matters as voice identification, authorship of written documents, unclear jury instructions, the asymmetry of power in courtroom exchanges, lawyer-client communication breakdown, the nature of perjury, problems in written legal discourse, defamation, trademark infringement, courtroom interpretation and translation difficulties, the adequacy of warning labels, and the nature of tape recorded conversation used as evidence².

In countries such as UK, Germany and Italy, this field of study has received attention for the past two decades. Master's degrees in forensic linguistics can be obtained from several European universities³. Nevertheless, there are currently no universities in U.S. offering a degree in this field. Some independent courses in forensic linguistics have been taught in the past at several national universities including the University of Pittsburgh (PA) and Vanderbilt University (TN).

Applications of forensic linguistics include:

- analysis of meaning of words in contracts, statutes, and laws
- the search for “ordinary meaning”
- analysis of meaning of non-language symbols (e.g., cross-burning)
- speech-act analysis of language claimed to constitute confessions, threats, and conspiracy
- analysis of covert tape recordings
- lip-reading interpretations of videotapes
- secret language and code analysis (slang and jargon)
- establishment of possible authors of documents through grammatical and stylistic analysis (e.g., could person X have authored document Y?)
- analysis of presuppositions in questions by investigators and attorneys
- schema analysis in linguistic processing
- language and memory
- readability and information presentation of instructions and warnings
- sociolinguistic analysis of code-switching, forms of address, convergence and divergence

Forensic linguists are often consulted by law enforcement and legal professionals in cases involving authorship identification, plagiarism, word meaning, trademark, criminal activities (bribery, extortion, solicitation, etc.), jury instructions, non-English language issues, perjury, copyright infringement, plain language, legal language, contract disputes/ insurance/ fraud, etc⁴. In an issue of the FBI Law Enforcement Bulletin dated April of 2002, Special Agent Smith, and Instructor at the Behavioral Science Unit of the FBI Academy, and forensic linguist Dr. Roger Shuy talk about “Using Language Analysis for Identifying and Assessing Offenders” (16-21)⁵.

¹ Shuy, Roger. “Forensic Linguistics.” Clinical Seminar. University of Montana School of Law, MN 15 Feb. 2006

² Levi, Judith N. “Language and Law: A Bibliographic Guide to Social Science Research in the U.S.A.” Chicago: American Bar Association, 1994.

³ Shuy, Roger. “Re: PhD in Linguistics.” E-mail to the author. 24 Aug. 2007

⁴ Dr. Leonard Robert A. “Forensic Linguistics Project.” HOFSTRA University. 24 Aug. 2007 <http://www.hofstra.edu/Academics/HCLAS/FLP/FLP_applications.cfm>

⁵ Smith, Sharon S. and Shuy, Roger. “Forensic psycholinguistics: using language analysis for identifying and assessing offenders.” USDOJ - FBI Law Enforcement Bulletin, April 2002. pp. 16-21.

Among recent cases involving forensic linguistics is the Melanie McGuire case in New Jersey. In this case the alleged perpetrator (McGuire) drugged her husband only hours after the couple bought a \$500,000 home in Warren County on April 28, 2004, and then shot him as many as four times. She later cut him into three sections with a reciprocating saw and knife before driving to Virginia to dump the suitcases off the Chesapeake Bay Bridge-Tunnel on May 4, 2004.⁶

Reporting on the McGuire case in an article dated March 29, 2007, *Star-Ledger's* writers Jim O'Neill and Suleman Din provided an illustrative account of the work of FBI's forensic linguist, Jim Fitzgerald:

“When Melanie McGuire wrote notes to friends, she made grammatical mistakes similar to errors found in anonymously written letters aimed at making police believe someone else killed and dismembered her husband,” an FBI specialist testified yesterday.

Forensic linguist James Fitzgerald told a Superior Court jury in Middlesex County he compared McGuire's notes with the anonymous writings and determined both overused commas, misused dashes and quotation marks, substituted ‘w/’ for the word “with” and used a plus sign instead of the word ‘and.’

In addition, one of the anonymous letters refers to a prosecuting attorney as ‘Madame Asst Att General,’ while in a telephone conversation McGuire referred to the same woman as ‘madame deputy attorney general,’ the FBI witness said.⁷”

As the forensic linguistics field advances, new publications and resources have become available. There is a professional organization called The International Association of Forensic Linguists (IAFL) which, in Article 2 of its constitution adopted by the membership at the business meeting conducted in Cardiff, Wales, in June of 2005, establishes its purpose as follows:

- The study of the language of the law, including the language of legal documents and the language of the courts, the police, and prisons;
- The alleviation of language-based inequality and disadvantage in the legal system;

- The interchange of ideas and information between the legal and linguistic communities;
- Research into the practice, improvement, and ethics of expert testimony and the presentation of linguistic evidence, as well as legal interpreting and translation;
- Better public understanding of the interaction between language and the law.

Other organizations include the International Association for Forensic Phonetics and Acoustics (IAFPA), which produces the *International Journal of Speech Language and the Law (IAFL)*—Equinox Publishing. Additional field-specific resources include:

- *Language In the Judicial Process* (The University of Tennessee)
- *International Journal for the Semiotics of Law*
- Dr. Roger W. Shuy's website (<http://www.iafl.org/>)
- Ehrlich, Susan. *Representing Rape: Language and Sexual Consent*. London: Routledge, 2001.
- Gibbons, John. *Forensic Linguistics: An Introduction to Language in the Justice System*. Oxford: Blackwell Publishing.
- McMenamin, Gerald. R. *Forensic Stylistics*. Amsterdam: Elsevier, 1993.
- Philbrick, Frederick A. *Language and the Law: The Semantics of Forensic English*. New York: Macmillan, 1949.
- Solan, Lawrence M, and Peter M. Tiersma. *Speaking of Crime: The Language of Criminal Justice*. Chicago: University of Chicago Press. To appear, 2005.
- Tiersma, Peter M. *Linguistic issues in the law*. 69 *Language* 113 (1993).
- Shuy, Roger. *Linguistics in the Courtroom: A Practical Guide*, 2006: Oxford University Press
- ---. *Language Crimes: The Use and Abuse of*

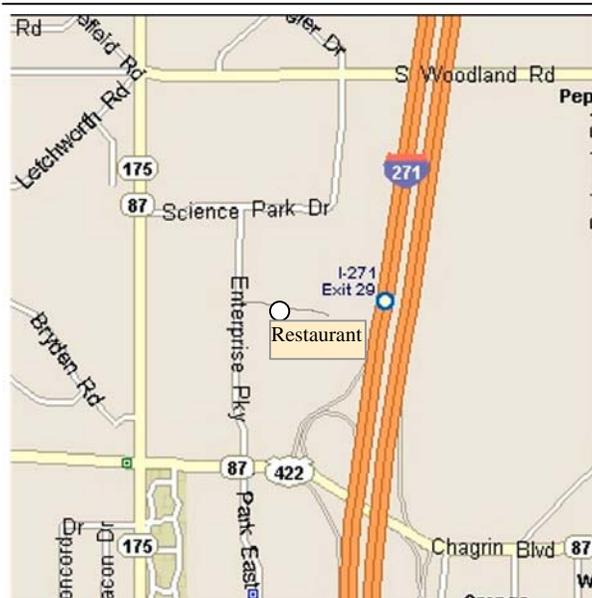
⁶ O'Neill, Jim and Din, Suleman. “Murderous Wife Gets Life.” *The Star-Ledger* (Newark, New Jersey). 20 Jul. 2007

⁷ ---. “Murder Trial Studies the Defendant's Grammar.” *The Star-Ledger* (Newark, New Jersey). 29 Mar. 2007

- Language Evidence in the Courtroom, 1993, Oxford: Blackwell (reprinted in 1996)
- ---. Bureaucratic Language in Government and Business, 1998, Washington DC: Georgetown University Press.
 - ---. Linguistic Battles in Trademark Disputes, 2002, New York: Palgrave Macmillan.
 - Wallace, William D. The admissibility of expert testimony on the discourse analysis of recorded conversations. 38 University of Florida Law Review 69 (1986).
 - Walsh, Michael. Interactional styles in the courtroom. In J. Gibbons (ed.), Language and the Law 217 (Harlow: Longman, 1994).

- A more extensive list of bibliographical resources may be found at <http://www.languageandlaw.org/BIBLIO.HTM>

At the time of this publication, the author—President of Community and Court Interpreters of the Ohio Valley—is making arrangements to schedule Dr. Susan Berk-Seligson, a national expert in forensic linguistics to address Northeast Ohio translators and interpreters at the upcoming CCIO Fall event in Columbus, Ohio. Stay tuned for more information! (www.ccio.org)



Directions to Ricky Ly's Thai Classic Gourmet:

The restaurant is located on Central Parkway off Enterprise Drive, just past P.F. Chang's.

Coming from the south on I-271, take the Chagrin Blvd. exit, turn left (west) onto Chagrin Blvd., turn right into Enterprise Parkway and right into Central Parkway. The restaurant is about 500 feet down the Road.

Coming from the north on 271, take the Chagrin Blvd. exit, turn right (west) onto Chagrin Blvd., turn right into Enterprise Parkway and right into Central Parkway. The restaurant is about 500 feet down the Road.

NOTA Executive Board Meeting – *continued from pg. 1*

have not yet paid their dues for next year are asked to send a check to Lee Wright. A \$5.00 late fee will be assessed for dues not paid by October 15.

Members should be aware that they can also make payments to NOTA via PayPal, which is a quick and easy way to transfer funds.

Public Relations. The Board discussed the importance of getting our name out to the local business community. Amanda will contact the Cleveland and Akron Chambers of Commerce to inquire about purchasing or obtaining their contact list of local businesses.

We would like to have several members volunteer to mail our membership directory to the businesses on the list.

Website Report. Unfortunately, someone hacked into

our new web site, causing it to be down for several days. It is now up and running again. Cindy will check into this problem and report back to Jill. Jill suggested that one member volunteer to check our website once a week and report any problems with it to Jill. We are also looking for a volunteer to maintain the web site. If you have knowledge of XML and ASPX please consider donating a few minutes a week to helping us.

Elections. Elections will take place in August 2008. In the meantime, we need a nominating committee to put together a slate of candidates. This will be discussed at our annual dinner meeting.

Next Board Meeting. The next meeting of the Executive Board will be on November 8 at Jill Sommer's home.

Reminiscing

by Waltraud Knudsen

When I agreed to be the temporary editor of *NOTA BENE* in 1999 until a permanent editor could be found, I had no idea that I would still be doing the newsletter eight years later. Newsletter editor was something I never wanted to be, and had anybody else agreed to do the job, I never would have touched it. But nobody came forward, and even though finding enough interesting articles to fill the issues was never easy, I actually enjoyed putting them together, finessing the material so that it would fill exactly eight pages. I always enjoyed the formatting, but the hunt for new and interesting articles was getting harder and harder. I gave up most of my translating activities a number of years ago and found that it did not take long until the technology had advanced to the point where I felt I was no longer really "with it." Translation programs like Trados and Internet research have changed the field dramatically.

I still remember when I did my first translations in the mid-seventies on my manual typewriter. At that time most of us had never heard of personal PCs, e-mail, modems and the Internet. We typed and retyped the translations and either delivered them by car or sent them by mail. Translating was mostly done locally.

In the late 70s or early 80s, Lee and Sue Ellen Wright were the first *NOTA* members to purchase a personal PC. I will never forget their demonstration of this wonderful machine and how impressed I was that one could just wipe out or insert entire words or sentences without using erasers or whiteout and that one could move words, sentences and whole blocks of writing around. Those early PCs had no graphics, and DOS, the operating system, had no really helpful Help files. All commands had to be learned by heart, mice were not yet a part of personal computing, and point and click had not been invented. Monitors were 12" diagonally or less and black with either green or amber writing. But the difference between typewriters and computers was so enormous that I vowed to buy myself such a magical machine as soon as I could afford it and had enough knowledge to know what to look for. Tendonitis in my right wrist due to a big translation job I had to really hammer out hard because of a faint typewriter ribbon hastened that decision.

Finding a computer with a German keyboard and a printer that could print the extended alphabet (and thus the German "Umlaute") was the first hurdle. Clerks in stores looked at me like I wanted a ticket to the moon when I told them what I needed. In addition, I myself did not know whether the mandatory German keyboard would be hardware or software. I finally found some knowledgeable people at Tandy, Radio Shack's computer store, who understood what I was looking for and vowed to find it for me. So I bought my first computer, a Tandy 1200 with a 10 MB hard drive, wow! In those days most computers had two floppy drives, one for the operating system and program, the other for the work disk. One of those floppies had the capacity of 350 kilobytes, less than a normal medium-resolution digital picture today. But this huge hard drive – 10 megabytes – was something in those days I thought I would never fill in my lifetime.

My first software program – Palantir Worldwriter – was easy to learn, but had much less capability than today's WordPad. For anything but plain text you had to learn to use DOS, the operating system, through which you could sort words alphabetically and do things like format floppy disks, copy files, make new "directories" (folders), and so on.

When WordPerfect came out with its version 5.0 for DOS, I bought it. It had all kinds of neat features like superscript, 1½ and double spacing, columns, etc., but I soon found out that these features, although they looked fine on the screen, did not work when I tried to print. No matter what I did, the page would start printing 3" down from the top and it would jump a whole line if I used a superscript. Calls to WordPerfect's free (!) telephone help line did not bring any results either. After trying everything I had already tried, they told me it must be the computer or printer. At Tandy they did not have the program, so they could not duplicate my problem, but they assured me that it was not the computer or printer itself, they had the ability to do this. So I finally decided it must be the operating system. I asked the Tandy people to copy the basic files (command.com and printer files) of a newer operating system version to a floppy disk for me and I tried that on my computer. Magically, all of a sudden I could print everything. Not wanting to

purchase the new operating system for \$100, I wrote my own little program that let me boot up with the new basic files, then go through the Palantir Worldwriter to pick up the German keyboard and go on to WordPerfect, all in one smooth move. It worked like a charm, but every time I needed to format or copy something onto another disk, I had to reboot the computer with another disk I had made with my original DOS, likewise picking up my German keyboard on the way to WordPerfect.

In 1991, I commissioned a small computer store to build me my second computer. It was a dream of power and speed (in those days) and even had a 2400 baud modem. The Internet was not in place yet, but with a modem I could transfer files directly through the telephone lines to another computer with a modem. This was marvelous, because now I no longer had to send floppy disks with FedEx. I just called the clients and asked them to "set up" their modem for a transfer. I then dialed their number from my modem, transferred the file and was mesmerized watching the bar with the transfer percentages until it was all done. I already had a fax machine (a "cheap" bare-bones model for \$1300!!), so I could receive translation jobs by fax and send them back by modem. Technology had really advanced in a few years!

In 1996, I purchased my third computer, now with Windows 95. It had a fast modem and now we

already had the Internet. I signed up for free e-mail with Juno and soon I signed up with AOL for 3 hours a month for file transfers (Juno did not have that capacity yet). When Juno came out with file transfer services, I signed up for that also. In those days, not all servers were compatible, so if I had trouble sending a file to a certain email address through AOL, it would usually transfer through Juno, and vice versa.

Since then I have purchased two more PCs and a notebook, all with the Windows XP operating system, and although each was faster, more powerful and had a bigger hard drive and other features, none of the advances were as great as between my first three models. I still marvel at all the things I can do with my computer now, from fancy picture e-mails to digital photography, digital music and newsletters with columns, text boxes and all the other neat little things, not to mention that we can deliver a translation exactly in the same format as the original, something that was not possible in the 70s or early 80s. Furthermore, my first very noisy dot matrix printer cost \$1000 in 1986, while my first inkjet printer a few years later cost less than \$100 and recently I got a neat little Canon ink jet for nothing after rebate (except the tax on \$50).

Now that's what I call progress!

A Little Parable

Once upon a time, there were four people; Their names were Everybody, Somebody, Nobody and Anybody.

Whenever there was an important job to be done, Everybody was sure that Somebody would do it. Anybody could have done it, but Nobody did it.

When Nobody did it, Everybody got angry because

it was Everybody's job.

Everybody thought that Somebody would do it, but Nobody realized that Nobody would do it.

So consequently Everybody blamed Somebody when Nobody did what Anybody could have done in the first place.

Volunteers Needed

We need your help. We need volunteers for the following:

- **Web site maintenance.** Update Current Events and NOTA BENE pages as needed. Check the web site once a week to ensure it is online and operational. Must be familiar with .aspx and xml.

- **Newsletter editor:** Put together the newsletter
- **Newsletter committee:** Help the newsletter editor find articles or members who are willing to write articles to publish in our quarterly newsletter
- **Programs committee:** Help our Programs Chair plan events by contacting possible venues and distributing the work.

We Welcome the Following New Members:

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Robert Shillen – additional email address:
shillenn@rambler.ru

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Don't Forget to Pay Your Annual Dues!

Our fiscal year runs from Sept. 1 through Aug. 31.

Individual Members:	\$25.00
Corporate Members:	\$35.00
Student Members:	\$15.00

Annual dues are payable by the end of September.
A late fee of \$5.00 will be charged after Sept. 30.