MEXICAN SIGN LANGUAGE COURSES FOR COURT INTERPRETERS

A FORMAÇÃO DO INTÉRPRETE JUDICIAL DE CURSOS DE LÍNGUA MEXICANA DE SINAIS

LA FORMACIÓN DEL INTÉRPRETE JUDICIAL EN LA LENGUA DE SEÑAS MEXICANA

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ABSTRACT: This study analyzes the training courses for interpreters in Mexican Sign Language (MSL) to observe their adequacy to the training needs of court interpreters. The Mexican Federal Judiciary calls every year for those interested in becoming expert witnesses in translation and interpreting. To comply with this profile, adequate training is needed, as well as proof of knowledge to provide an expert testimony (Martorelli, 2017). Considering that undergraduate and graduate programs for learning MSL do not exist, our study sets out to explore what non-academic courses on MSL interpreting and expert function exist. We will analyze those courses and determine whether they are based on the competencies required by the National System of Competencies of the National Council for Standardization and Certification of Labor Competencies. The data reveal that there are 5 courses focused on the training of interpreters and 5 on the expert function in translation, but none focused on court interpreting.
KEYWORDS: Interpreter training. Mexican Sign Language. Translation and Interpretation.

RESUMEN: Este artículo se propone analizar los cursos de formación del intérprete en la Lengua de Señas Mexicana (LSM), con el fin de observar su adecuación a las necesidades de formación de intérpretes judiciales. El Poder Judicial de Federal de México convoca cada año a aquellos interesados en convertirse en peritos auxiliares en traducción e interpretación. Para fungir con este perfil, se necesita una formación adecuada y comprobar conocimientos para desahogar un dictamen pericial (Martorelli, 2017). Debido a falta de programas de grado y posgrado en la LSM, consideremos necesario explorar qué cursos sobre la interpretación en la LSM y la función pericial existen y si se adecuan a las competencias requeridas por Sistema Nacional de Competencias del Consejo Nacional de Normalización y Certificación de Competencias Laborales. Los datos revelan que existen 5 cursos para la formación de intérpretes y 5 sobre la función pericial en traducción, y ninguno centrado en la interpretación judicial.
PALABRAS CLAVE: Formación de intérpretes. Lengua de Señas Mexicana. Traducción e Interpretación.

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RESUMO: Este artigo tem como objetivo analisar os cursos de formação de intérpretes em Língua Mexicana de Sinais (LSM), a fim de observar sua adequação às necessidades de formação dos intérpretes judiciais. O Poder Judiciário Federal do México convoca todos os anos os interessados em se tornar especialistas auxiliares em tradução e interpretação. Para atuar com esse perfil, é necessário ter treinamento adequado e comprovar conhecimento para fornecer uma opinião especializada (Martorelli, 2017). Devido à falta de programas de graduação e pós-graduação em LSM, consideramos necessário explorar quais cursos de interpretação em LSM e a função de especialista existem e se eles estão alinhados com as competências exigidas pelo Sistema Nacional de Competências do Conselho Nacional de Padronização e Certificação de Competências Trabalhistas. Os dados revelam que existem 5 cursos para a formação de intérpretes e 5 sobre a função de perito em tradução, e nenhum voltado para a interpretação judicial.

PALAVRAS-CHAVE: Formação de intérpretes. Língua Mexicana de Sinais. Tradução e Interpretação.

1 THE EXPERT WITNESS TRANSLATOR AND INTERPRETER IN MEXICO

In Mexico, the sworn or certified translator or interpreter, officially known as an expert witness of the Federal Judiciary (FJ, hereinafter), is "a person who is qualified to formulate opinions in the profession, trade, science, art, knowledge or technique of a subject to assist in the administration of justice" within branch 4 of expertise, corresponding to the Arts and Humanities, sub-branch Translation and Interpreting. The expert translator or interpreter is a specialist in the field and their signature has state, federal, and international official recognition. They are called "auxiliary of justice" since they are appointed by a judicial authority and are also at the disposal of the authorities in case they are required for a translation or interpreting service.

In Mexican law, expert evidence is subject to various laws and regulations of a civil, criminal, and administrative nature, both federal and local. It is regulated at the federal level by the Federal Code of Civil Procedures, Chapter IV "Expert evidence" (Official Gazette Of The Federation, 2021); the National Code of Criminal Procedures, Section II "Expert evidence" and Chapter IV "General provisions on evidence" (Official Gazette Of The Federation, 2024); the Second Title of the Administrative Responsibility Procedure of the General Law of Administrative Responsibilities, Section IV "On Evidence" (Official Gazette Of The Federation, 2022), and by both the entire agreement and Chapter VII "On the Obligations of Experts and Expert Witnesses" of the General Agreement of the Plenary of the General Judiciary Council that Reforms and Adds the one that Regulates the Integration of the List of Persons that May Serve as Experts before the Agencies of the Federal Judiciary regarding the Integration of the List (Official Gazette Of The Federation, 2022).

At the federal level, the Federal Judiciary Council is responsible for calling, every year, for those interested in being part of the list of persons who may serve as experts before the agencies of the Federal Judiciary. In accordance with the call published in 2023 (Federal Judiciary, 2023), the requirements for new applicants are the following:

a)   Application form for new admission duly completed and attached with a standard size photograph,

b)   Copy of official identification,

c)   Resume,

d)   Certified copy of the degree and professional license or printed representation of its electronic versions. A minimum experience of 5 years shall be required from the date of the license issuance,

e)   Copy of the documentation that verifies the training and/or methodological experience for formulating and rendering expert testimonies before jurisdictional authorities,

f)   Tax certificate, and

g)   Complete privacy notice of the List of Persons who may function as Experts or Expert witnesses signed by handwritten signature.

Interpreters and translators of foreign languages must also submit:

h)   Proof, in certified copy, of the training for performing as an interpreter or translator of a foreign language from which a minimum experience of 5 (five) years is evidenced, and

i)   Proof, in certified copy, of the foreign language proficiency level, which in no case may be lower than level C1 according to the Common European Framework of Reference for Languages or its equivalent.

For interpreters and translators whose native language is not Spanish, in addition to the above requirements, they must submit a certified copy of their certificate of Spanish proficiency.

At the state level, each State Judicial Council oversees the publishing of calls for applicants, both new and renewal, with the corresponding requirements and on the dates that best suit their purposes. Since there is no homogeneous regulation applicable to all states (Academia de los Grandes Traductores, 2023), the local administrative authorities determine the conditions of admission. Some states impose an exam that all applicants must pass, while others only require documentation mentioned in the call for applications.

The names of the applicants or of the endorsing experts appear in the public list of expert witnesses of the Federal Judiciary, as established in the General Agreement of the Plenary of the Federal Judiciary Council[1]. The local administrations publish a public list like that of the Federal Judiciary Council, under the terms and conditions presented in their call.

In this article we will focus on the expert witness in translation/interpreting at the federal level, due to a lack of homogeneous regulation at the state level. We will address the study of the expert witness interpreter in Mexican Sign Language (MSL) who perform their work in the judicial field, hereinafter court interpreter in MSL (CIMSL). We will focus on this field because legal translation, and judicial interpreting are in the highest demand in Mexico (Cornea;Tucker, 2020).

The General Law for the Inclusion of Persons with Disabilities was published in 2011. Chapter IX "Access to Justice", Article 28 provides that those persons with "disabilities shall have the right to receive dignified and appropriate treatment in administrative and judicial proceedings" (Official Gazette of the Federation, 2024), while Art. 29 regulates the presence of experts and interpreters in MSL in the administration of justice:

> The institutions for the administration and enforcement of justice shall have experts trained in the different disabilities, assistance from MSL interpreters, and the issuance of documents in Braille writing system and light reading format. (Official Gazette of the Federation, 2024).

Having the assistance of an expert witness interpreter is a duty that the State must provide to the person in question for guaranteeing the full access to justice and not discriminate based on their physical condition. Federal Judiciary Council Communiqué 70/2023 states that actions have been undertaken to make legal proceedings more accessible and understandable using MSL. Interpreting in MSL was introduced in the broadcast of public sessions, information, and opinion shows distributed by Justice TV. This implies bringing the Deaf community closer to the legal and judicial contents.

Six individuals appear in the list of persons serving as expert witnesses at the federal level in 2024: 1 in the "Mexican Language Interpretation in Sings" category and 5 in the "Mexican Sign Language Interpretation" category. Nonetheless, we regard the use of "Mexican Language Interpretation in Signs" as an error because Mexican Sign Language has the status of a language and not a dialect, as defined by the National Council for the Development and Inclusion of Persons with Disabilities (*Consejo Nacional para el Desarrollo y la Inclusión de las Personas con Discapacidad*):

MSL, is the language of the Deaf community in Mexico, and consists of a series of gestural signs articulated with the hands and accompanied by facial expressions, intentional gaze and body movement, endowed with linguistic function, is part of the linguistic heritage of that community (National Council for the Development And Inclusion Of Persons With Disabilities, 2019).

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[1]General Agreement of the Plenary of the Federal Judiciary Council, which amends and regulates the integration of the list of persons who may function as experts before the agencies of the Federal Judiciary, on the integration of the list of persons who may function as experts before the bodies of the Federal Judiciary.

A scrutiny of the 2023 call for expert witness applicants shows that foreign and Indigenous languages are specified, however, there is no reference to Mexican Sign Language, an official language in Mexico since 2005. In addition to the documents certifying the training and experience in the field, requirement *e* is noteworthy, which refers to the training or experience in rendering expert testimony. In this regard, Martorelli (2017) argues that the purpose of the expert evidence is "to convince the court of technically complex facts or specialized aspects of given facts". This entails knowledge not only of the practice of translation or interpreting, but also of their theory and methodology to support translation decisions and the modalities of interpretation, hence the translator or interpreter must have highly advanced knowledge and training (Fournier, 1997, p. 544). Therefore, there must or should be training courses for interpreters in MSL in the judicial field to guarantee an effective and correct access to justice.

2 THE ROLE OF THE COURT INTERPRETER IN ORAL AND SIGN LANGUAGES

Court interpreting is a type of community interpreting (Hale, 2007) or public service interpreting (Valero Garcés, 2003), which is conducted in judicial processes in criminal and civil proceedings. It occurs throughout the various stages of a trial (opening statements, witnesses, defense, closing statements), when one of the parties faces a linguistic disadvantage (Morris, 2015 *apud* García, 2021, p. 5). The interpreters providing this service are usually experts or certified specialists appointed by the respective authority that "provide their expertise as a result of their professional training" (Martorelli, 2017). In Mexico, the court interpreter in MSL (CIMSL) is that auxiliary of justice whose name appears on the list published by the FJ and who is trained to convey the content of court proceedings from Spanish to Mexican Sign Language and vice versa, is the one who serves as a bridge between the hearers and the Deaf community, guaranteeing in this way the rights of the Deaf population (Carreón Castro; Rosado; Maya Ortega, 2017, p. 42-43). Their role is merely as bearer of scientific knowledge at the disposal of justice. Interpreters play an indispensable role throughout the trial, although, unfortunately, judges have truly little knowledge about the complexity of the interpreting endeavor (Colin; Morrin, 1996, p. 15 *apud* Hale, 2007, p. 63) and, in some cases, they show ignorance about the very status of national languages. As stated hereinabove, there are two categories as far as sign language is concerned, Mexican Language in Signs (*Lenguaje mexicano en signos*) and Mexican Sign Language (*Lengua de Señas Mexicana*), nevertheless all interpreters should belong to the same category of MSL. In Mexico there is no specific regulation regarding court interpreters. Although different laws, such as the Federal Civil Code, Federal Criminal Code or Code of Criminal Procedures, recognizes the indispensability of an interpreter, there is no clear deliniation of their functions, or their performance. Moreover, the judges show a profound lack of knowledge regarding the labor of the interpreter. The results from the studies of Hale (2007, 2011) also demonstrate this fact. Hale found both an adequate and an inadequate understanding of the interpreter role in courts. Regarding sign language interpreters, studies by Napier (2013) and Napier and Mcewin (2015) show that interpreters perceive that lawyers, judges, etc., do not value their profession and that the working conditions are influenced by the negative perception of their profession. In their study, Napier, and Banna (2018) reveal that interpreters feel that they perform their work responsibly, professionally, and ethically, while lawyers and judges were particularly concerned about the accuracy and quality of interpreting. They are minimizing the interpreter's influence on criminal proceedings.

This research, based on surveys and interviews with both oral and sign language interpreters, judges and lawyers in Australia and the United States, highlights that although the professional practice of sign language interpreters in courts is recognized and regulated, interpreters feel highly responsible for overseeing their own role in courts. They are seeking to meet the language needs of the Deaf community and understand the court system. Most studies focus on court interpreting in oral languages, and consequently there is a considerable demand of studies based on sign language interpreters and their interaction in the courtroom. In the European Union (EU), there are approximately 7,500 sign language court interpreters, but, according to the European Union of the Deaf (EUD) and the European Forum of Sign Language Interpreters (EFSLI), there is a need to increase the number of sign interpreters (Wheatley; De Wit, 2014). It is important to recognize the official status of sign languages of the EU countries and establish minimum criteria for determining what it means to be a qualified sign court interpreter in various countries (Leeson, Napier, Haung *et al.,* 2021, p. 165-166).

Now, if we consider the court interpreter in Mexico, and particularly the MSL interpreter, the situation is critical. The call for aspiring experts fails to clearly mention Mexican Sign Language, along with the native languages, due to the two categories included in the public list, Mexican Language in Signs (*lenguaje de signos mexicano*) and Mexican Sign Language (*Lengua de Señas Mexicana*),

because the former is not a dialect (*lenguaje*), it is a language (*lengua*). Moreover, the normative references for the expert interpreters are ambiguous about their performance within judicial contexts. Research on the court interpreter in MSL is nonexistent and the training of interpreters presents significant deficiencies, as we will see below.

2.1. THE PROFILE OF MEXICAN SIGN LANGUAGE INTERPRETER IN THE ADVERSARIAL CRIMINAL JUSTICE SYSTEM

Article 49 of the Political Constitution of the United Mexican States establishes that the power of the Federation is divided into three branches: Legislative, represented by the Congress of the Union, Executive, represented by the President who is elected every 6 years by popular vote, and the Judiciary, in charge of issuing judgements and resolutions through the Supreme Court of Justice of the Nation, the Collegiate Circuit Courts, the Electoral Court and District Courts (SCJN, 2006, p. 9).

Since 2008, the adversarial criminal justice system is in force in Mexico, which is an oral and public legal proceeding in which the parties (the prosecutor and the defendant) appear before an impartial judge whose "purpose is to clarify the facts, protect the innocent, punish the guilty and compensate the damages and harms caused by the crime" (Becerra Oréfice Abogados, 2017). The process is divided into 3 main stages and sub-stages (see Figure 1).
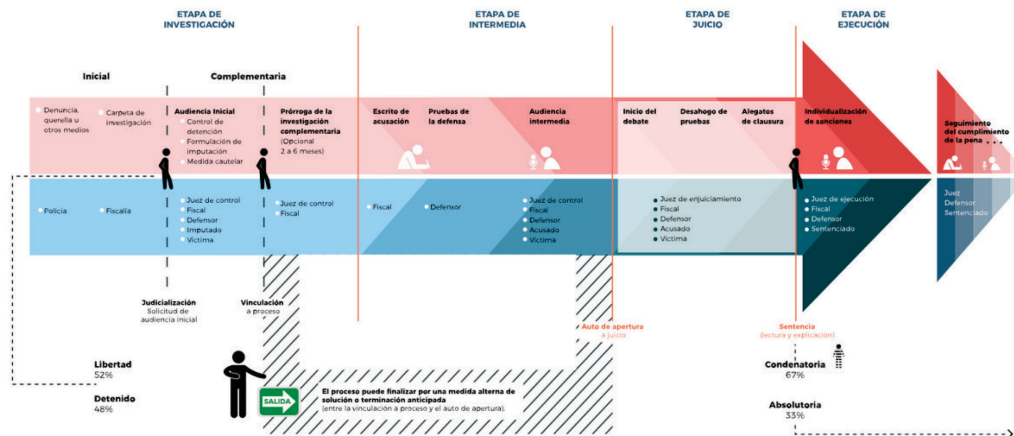

Figure 1: Criminal Procedure and its stages
Source: Federal Judiciary Council

Each stage and sub-stage involve specific knowledge of how the trial is developing. If interpreting in foreign languages or Mexican national languages (native and sign languages) is required to guarantee the access to justice for the parties involved, the court clerks contact an interpreter whose name appears on the list of experts at the federal or local level. Usually, the expert is contacted via e-mail or telephone and is informed of the criminal case number and the day of the hearing:

E-MAIL NOTIFICATION

Pursuant to Article 87 of the National Code of Criminal Procedures in force, you are hereby informed that the notification will take effect on the same day that by SISTEMA you confirm that you RECEIVED the corresponding electronic file.

- **Expert witness interpreter in Romanian, Ioana Cornea; ioana.cornea@enallt.unam.mx, for your knowledge and attention Attached hereto I am sending you a complete copy of the agreement of .... issued in the Criminal Case....[2]**

Figure 2: Notification via e-mail of interpretation service

The court interpreter receives scarce information, which sometimes complicates understanding the stage or sub-stage of the trial and complicates even more understanding the subject matter, as stated by Hale (2007, p. 8): "In Community Interpreting,

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[2] Translated from Spanish into English.

interpreters are given very little information about their future assignment, either for reasons of confidentiality or insufficient knowledge about the purpose of the interaction.".

Upon availability, the interpreter takes the assignment and appears on the day and time scheduled to interpret. Hearings can be conducted either in person or online. After the hearing begins, the judge introduces everyone in the courtroom while the interpreter introduces himself or herself. Afterwards, the interpreting practice begins. Simultaneous interpretation is recommended in sign languages, while in oral languages the most common modalities are consecutive, liaison and whispered, due to a shortage of technical equipment for simultaneous interpretation. Hearings can last from a few minutes, if deferred, or up to 10-11 hours. Customarily only one interpreter per hearing is hired and obviously there is no changeover. These working conditions certainly affect the quality of the interpretation for it is almost impossible to stay concentrated for so many hours. Furthermore, there is no entity that verifies the quality of the interpretation, only in the event of a complaint or even a complaint against the interpreter. As stipulated in Article 22 of the General Agreement of the Plenary on the appointment of experts, the Experts Unit will gather the necessary information to corroborate the existence of irregularities. Once the hearing is over, the interpreter manages the payment either directly with the Federal Judiciary or through an agency. The FJ has established fees that remain the same for interpreting in all languages, foreign, national, and sign languages.

It should be noted that any interpreting activity implies a solid knowledge in both the source and target language and culture, however, the judicial field also requires a thematic knowledge about the trial stages, related terminology, and social knowledge. The CIMSL must know the Deaf community and have contact with them because if the community does not understand or accept the interpreting, the results could be disastrous. It is imperative that the Deaf community receive a good service in line with their language, customs, and traditions to ensure an effective and correct access to justice.

Community interpreters are therefore required to have extensive knowledge of the social and institutional settings in which they work, so that they are prepared to deal with new `texts´ at every assignment (Hale, 2007, p. 8).

Legal discourse and terminology represent a challenge for professionals not educated in the law and especially for linguistic minorities (Leeson; Napier; Haug *et al.,* 2021, p. 166). Specifically in the case of sign languages, it is not enough to know the language, but rather to know how to convey it, since deaf people are not always fluent in sign language nor understand legal procedures.

Judiciary Council Communiqué 70 acknowledges the need to un-terminologize the discourse and render it more colloquial for a more effective understanding of legal discourse. Nevertheless, should court interpreters in MSL do this? Who establishes whether the criteria for quality and adequate interpreting for the target public are met? How is it assessed? Who assesses it since there is no standardizing agency? In Mexico, the National System of Competencies of the National Council for Standardization and Certification of Labor Competencies (CONOCER, for its acronym in Spanish) created an official document applicable to the entire Republic that serves to evaluate and certify the competence of experts. This document describes the set of competencies, abilities, skills, and attitudes that a person must possess to perform the job with a high level of performance. Standard EC1319 refers to the competencies that an interpreter must have to interpret conferences from Mexican Sign Language to Spanish and vice versa. There is no specific document for the court interpreter, however, this standard of competence could be considered as one since it refers to the interpreter in MSL.

	Elements	Competencies	Performance
1.	Functional and structural knowledge of Spanish and Mexican Sign Language.	Communicative competence in Mexican Sign Language and Spanish	• Explain in your own words/Mexican Sign Language the main message/idea/purpose of the video. • Explain the meaning of the specified sign. • Demonstrate knowledge of the different meanings of the specified sign.
2.	To prepare the conditions to interpret the message of Mexican Sign Language⇔ Spanish in different modalities and techniques.	Technical and Professional competence	• Verify the conditions of the place where the interpretation will take place (liaison/whispering modality). • Contact the person responsible for the logistics of the event. • Verify the location of the hard of hearing person and the interpreter. • Verify the place conditions to perform the interpretation in mass media modality. • Verify the place conditions to perform the interpretation in platform modality. • Verify the place conditions to perform the interpretation in remote modality.
3.	Interpret the message from Mexican Sign Language⇔ Spanish in the consecutive modality.	Consecutive modality competence	• Interpret from Spanish to MSL and vice versa in the consecutive modality. • Perform message notetaking
4.	Interpret the message from Mexican Sign Language⇔ Spanish in the simultaneous modality	Simultaneous modality competence	• Interpret from Spanish to MSL and vice versa in the simultaneous modality. • Ask the speaker for information on terminology and specifications according to the topic. • Interpret within an approximate delay time of 5 seconds. • Use dactylology for proper names, acronyms, etc. • Use dactylology for numbers in MSL. • Use the terminology relevant to the subject to be interpreted. • Interpret with morphosyntactic, and emotional gestures and non-manual elements. • Perform the interpretation of the speech without omissions, substitutions or additions that alter and modify the message. • Interpret with the same speech register. • Overcome cultural gaps during interpretation. • Use verb tenses, gestural and spatial time markers according to the message. • Use transitive and intransitive verbs. • Use non-manual adverbs. • Use the visualization technique to restore a concept in Spanish that is not equivalent in MSL. • Use polysemous signs at interpreting. • Use signs in accordance with MSL phonology. • Interpret from MSL to Spanish in simultaneous modality. • Ask the speaker for information on technicalities and specifications according to the topic.

			• Interpret within an approximate delay time of 5 seconds. • Convey the content of the discourse through verbal/written Spanish. • Express through verbal/written Spanish proper names, acronyms, etc. • Convey the figures through verbal/written Spanish. • Use the terminology relevant to the subject to be interpreted. • Interpret idiomatic expressions. • Interpret with intonation. • Perform the interpretation of the speech without omissions, substitutions or additions that alter and modify the message. • Interpret with the same speech register. • Overcome cultural gaps during interpretation. • Use verb tenses according to the message. • Use sentences according to the grammatical structure of Spanish. • Interpret polysemic signs to verbal/written Spanish. • Use a correct grammatical structure of Spanish without omissions, substitutions or additions that alter or modify the meaning and intention.
5.	Interpret Mexican Sign Language messages⇔ Spanish in the sight translation modality	Sight translation competence	• Interpret the written message from Spanish to MSL using sight translation modality. • Convey the content of the written text through MSL. • Keep the face visible during the translation of the written text for an optimal transmission of the message. • Use the physical, visual, and spatial space of MSL during the translation of the written text for an optimal transmission of the message.

Table 1: MSL interpreter competencies according to Standard EC1319.
Source: CONOCER. Own elaboration.

These evaluation criteria, although sometimes imprecise and incomplete, so far represent a guideline to assess the quality of interpreting. It is not the purpose of this article to scrutinize this Standard of competencies document, but rather to observe what customs and parameters exist in the Mexican job market and to associate them with the existing courses. If the training courses for interpreters in MSL are adequate to the competencies or standards proposed by CONOCER, then the court interpreters would receive a complete training to perform their work with professionalism, ethics, and responsibility. Based on the Standard of competencies for MSL interpreting, we outline the following competences: communicative competence (linguistic knowledge of MSL and Spanish), cultural competence (about culture), thematic competence (knowledge of the area of expertise, i.e., terminology), technical and professional competence on consecutive, simultaneous and sight translation interpreting. We also include the social competence since the interpreter must know the social context of the Deaf community (Hale, 2007), instrumental competence (related to the use and management of lexicographic and terminological resources), ethical competence, and cognitive competence (Valero-Garcés; Martin, 2008; Gile, 2009).

3 METHODOLOGY

To achieve the objective of this study on the analysis of the courses on MSL interpreting and expert function for the areas of translation and interpreting, we first compiled all the existing courses on the Mexican market. The criteria to identify the courses that we used were the interpreter training in MSL and the expert witness training in translation or interpreting. We also included

translation, a related area, to broaden the spectrum in case nothing concerning court interpreting was found. We did not take into consideration courses on the expert function in general or aimed at jurists since we deem that an expert translator or interpreter should acquire knowledge on the expert function in their area of expertise.

Afterwards, we analyzed the course syllabus considering the competencies that an interpreter should have based on the Standard EC1319 of CONOCER, in the absence of an official document oriented to court interpreters in MSL, as well as related studies on court interpreter competencies (Hale, 2007).

While it is true that there is a wide range of courses on MSL interpreting in different modalities of delivery and ranges of affordability, the majority focuses on language acquisition and not on interpreter training. Currently, there are 5 courses focused on the training of interpreters in Mexican Sign Language and 5 focused on the expert function and the creation of expert evidence in translation.

4 ANALYSIS AND DISCUSSION

This section is divided into two subsections. The former describes and analyzes the MSL interpreting courses, while the latter addresses the courses on the expert function.

4.1. ANALYSIS OF COURSES ON MSL INTERPRETING

For the analysis of the courses, we created a table that presents the institution or instructor that teaches the course, the name of the course, the subject matter, and the competencies which it focuses on.

Institution/Instructor	Course	Syllabus	Competencies
Academia de Lengua de Señas Mexicana (Mexican Sign Language Academy)	Mexican Sign Language Laboratory and Internship Modules This course is divided into several basic, intermediate, and advanced modules; however, we consider only the Laboratory and Internship modules because they include topics related to interpreting and translation.	Laboratory Module • Interpreting and Management • Deaf community and society • MSL interpreting • MSL translation • MSL grammar application • Semantic fields Internship Module Code of Conduct of Mexican Sign Language Interpreters • MSL Regulations • MSL Interpreting and Translation • Neologisms • MSL grammar application • Semantic fields	Social competence Communicative competence Technical and professional competence Ethical competence Cultural competence Thematic competence
Instituto para la Formación Integral del Sordo, A.C. (Institute for the Integral Training of the Deaf).	Intermediate III	The syllabus is not specified concretely, only the teaching approaches are presented. The course is based on the Common European Framework of Reference for Languages. The student studies the language and culture of the deaf community.	Communicative competence Social competence Cultural competence Instrumental competence

		The course studies the grammar, phonology, semantics, and pragmatics of MSL. The student is provided with support materials and a digital glossary.	
LSM Libertad (MSL Liberty)	MSL Basic Course I, II, III MSL Intermediate Course I, II, III	No syllabus is presented for the basic course and the same information about its objectives is specified in the 3 levels of training. As for the Intermediate I, II, III levels, there is no information of any kind. Objectives of Basic Course I, II, and III Learn the functional and structural knowledge of Spanish and MSL. Prepare the conditions to interpret the message from MSL⇔ Spanish in different modalities and techniques. • Interpret the message from Mexican Sign Language⇔ Spanish in the consecutive modality. • Interpret the message from Mexican Sign Language⇔ Spanish in the simultaneous modality. • Interpret the message from Mexican Sign Language message⇔ Spanish in the sight translation modality.	Communicative competence Technical and professional competence
Universidad Anáhuac Puebla (Anáhuac Puebla University)	Certificate in MSL	Six modules Module 1 Introduction to Mexican Sign Language Module 2 Basic Elements of Sign Language and Deafness • Module 3 Grammatical contents • Module 4 Lexical contents • Module 5 Socio-cultural contents • Module 6 Pragmatic contents	Communicative competence Social competence Cultural competence
Juan Hernández Cruz	MSL Interpreter training	A total of 50 weeks is proposed, of which 45 are still in process. The following content is presented throughout the 5 weeks: **Week 1. Introduction** • Interpreter training. • Visualization exercise. • What is interpreting? • What is an interpreter? • Instructions for your first interpreting. • Simultaneous interpreting. • Your first interpreting. **Week 2. Sight Translation Interpreting** Differences between interpreting and translation. • Sight translation/interpreting. Guidelines for sight translation/ interpreting. • Sight translation/interpreting exercise.	Communicative competence Technical and professional competence Cognitive competence

- Exercise review.

Week 3. Dactylology in Interpreting

- Dactylology in interpreting.
- Simultaneous interpreting exercise.
- Exercise review.

Week 4. The certification of interpreters in Mexico

- MSL interpreter certification.
- Introduction to EC1319.
- Memory and its elements.
- Sensory memory and its types.
- Interpreting with signed Spanish.
- Work material.
- Exercise review: Signed Spanish.
- Proofreading exercise: Sight Translation/Interpreting.

Week 5. Purposes and description of the Standard of competencies.

Purpose of the Standard of competencies EC.

- General Description of the Standard of competencies.
- What is short-term memory?
- What is working memory?
- Short-term memory exercise.
- Work material resources.
- Exercise review: Signed Spanish.
- Proofreading exercise: Sight Translation Interpreting.

Table 2: Courses on MSL interpreter training

Source: Own elaboration

After having analyzed the courses, we observed that they are offered in private institutions, which constitutes the first limitation because the tuition fees are quite expensive. Moreover, the names of the courses are ambiguous, since under the label of "Basic I, II, III" or "Intermediate" a lot of information is hidden. We also observed almost no methodology involved in the creation of the courses for most of the contents are repeated. Let us consider the third course offered by the MSL Liberty, the same information appears at all levels, and it is taken directly from the Standard EC1319. They are the exact same parameters that the CONOCER Standard sets forth. Now, it is a bit unusual that the contents of the courses entitled Basic I, Basic II, and Basic III contain the same agenda and the same criteria for evaluating the quality of MSL interpreting. Therefore, the lack of a didactic methodology behind them is evident, as well as the disinterest of the courses' organizers.

Two of the five courses have scarce content related to interpreting, namely the Intermediate III at the *Instituto para la Formación Integral del Sordo, A.C.* and the Certificate in MSL at the Anáhuac Puebla University. Since the contents are secluded, it is complicated to determine if they really include topics about MSL interpreting. Juan Hernández Cruz's course is the only one that focuses entirely on MSL interpreting training and it seems comprehensive at first hand; however, upon analysis, we noticed that only the syllabus of the first 5 weeks is developed, and the remaining 20 are "in process". The contents available focus on general issues regarding what is translation and interpreting, as well as on its different modalities of delivery: simultaneous, consecutive, and sight translation. It is the only course that allots one week to the certification of interpreters in Mexico and another to the study of the Standard EC1319 of CONOCER.

The competencies that we were able to distinguish from the contents of the courses are the following: in the first place, communicative competence appears in all 5 courses, in view that great emphasis is placed on the acquisition of the MSL and Spanish, and as well as their grammatical and lexical knowledge; secondly, cultural and social competence can be observed in 3 courses due to the importance of knowledge of the socio-cultural context of the Deaf community. Likewise, technical and professional competence is distinguished in 3 courses, special mention is made of the interpreting modalities used, and lastly, instrumental, ethical, thematic and cognitive competence appears only once. It seems that the courses do not encourage the use of lexicographic or terminological tools due to the shortage in the Mexican market. Although the ethical component should be present in all courses, it is only distinguished in one. About the thematic competence, it arises from the semantic fields included by the Mexican Sign Language Academy. Also, the cognitive competence is mentioned only slightly in the courses, perhaps because only Juan Hernández Cruz's course centers on MSL interpreting and the cognitive competence is fundamental in any type of interpreting.

4.2. COURSES ON THE EXPERT FUNCTION

Institution/Instructor	Course	Syllabus	Competencies
Organización Mexicana de Traductores (Mexican Organization of Translators)	Online Certificate in English-Spanish Legal Translation	Mexican legal system United States legal system United Kingdom legal system Civil law terminology Procedural law terminology Criminal law terminology Commercial law terminology International law terminology Principal texts of civil law Principal texts of procedural law Principal texts of criminal law Principal texts of commercial law Principal texts of international law	Thematic competence Communicative competence Technical and professional competence
ISETI, Instituto Superior de Estudios en Traducción e Interpretación (Higher Institute of Translation and Interpreting Studies)	Expert Certificate in the Translation Expert Function	4 training programs that comprehensively cover the knowledge that an expert translator must have: Simulator of the Expert performance Duties of the Expert Translator Workshop on expert opinions Translation of Lawsuits and Judgments	Technical and professional competence Thematic competence Ethical competence
Higher Institute of Translation and Interpreting Studies	Workshop on translation expert opinions [Online course].	Traductology as a framework of study Scientific analysis of translation Translation strategies Translation procedures Expert evidence Judicial Communication Structure of the expert opinion Case studies	Technical and professional competence Thematic competence Communicative competence Strategic competence
Higher Institute of Translation and Interpreting Studies	Duties and attributions of the expert translator [Online]	Legal framework for the expert authorization Local and federal jurisdiction application Certified translation and expert translation opinion	Technical and professional competence Thematic competence Ethical competence

		Legal format and source format Practical implications of ethics Expert's rights, obligations, misconducts, and sanctions The translator's voice: sic, footnotes, annotations, and translator's note Description of extratextual elements and error treatment in the source document. Digital certification with Advanced Electronic Signature (AES) Theoretical foundation for expert opinions Structure of a translation expert testimony Stages of a trial with the performance of an expert witness Presentation of translation expert evidence	
Higher Institute of Translation and Interpreting Studies	Simulator of the translator expert labor [Online]	Module 1: Client: Judiciary Speaker: Defendant Module 2: Client: Individual in migration proceedings Speaker: Migratory and/or foreign academic authority Module 3: Client: Law firm Speaker: Notary Public Contents in each module: Overview of Translation as a Service The translator as "agent" and decision making in the translation process. Quotation, fees calculation and deadlines Fees calculations according to the indicative tariffs of the Federal Judiciary and the CMLTI's Deals closing Clients and customers' communication Translation (practice) and project management (Terminology and quality assurance) Delivery Formats Best debt collection practices Protocols for appearance in Courts and Notary Offices	Technical and professional competence Thematic competence Ethical competence Communicative competence

Table 3: Courses on the expert function

Source: Own elaboration

Regarding the courses on translator and interpreter training in the expert function, we noticed that the 5 courses encounter in the Mexican market focus more on certified translation than interpreting and, therefore, they are centered on the training of the expert

witness translator rather than on the interpreter. Broadly speaking, we could observe, as in the previous case, an absence of didactic methodology in the creation of the courses, since they repeat contents, which sometimes give the impression that they are the same course.

The Online Certificate in English-Spanish Legal Translation offered by the Mexican Organization of Translators presents a syllabus centered on English-Spanish legal translation. Thus, it focuses on the main differences between common and roman law, as well as on the translation of texts concerning civil, procedural, commercial, criminal, and international law. It emphasizes the acquisition of legal terminology in English and Spanish, and of the thematic competence on the stages of oral trials. It is the only course that addresses the note-taking technique for consecutive interpreting and that has some topics aimed to the expert translator and the elaboration of official or certified translations.

The other 4 courses are taught by the Higher Institute of Translation and Interpreting Studies and are based only on translation. The Certificate in Translation Expert Functions gathers the contents of the other 3 courses: Functions of expert witness translator; Workshop on translation expert testimonies, and Simulator of the translator expert labor, while adding the translation of lawsuits and judgments. No further information is provided on the specific contents, however, these 3 courses, Simulator, are briefly broken down on its website. The course about the Functions of expert witness translator addresses the legal framework of the expert's appointment, as well as how to render expert testimonies. It also deals with professional issues, questions about the quotation of the service, management and quality of the product, and the payment of fees. The Workshop on translation expert testimonies is based on translation competence and both the theoretical and methodological foundations on how to render an expert testimony according to translation methodology. The objective of the simulator is to distinguish the translator expert service in accordance with the different types of clients and speakers (Courts, private clients, and Notaries), as well as acquire the entire process of the translator expert service (quotation of the service, management and quality assurance of the product, and best practices).

We are aware that some of the competencies established for the interpreter do not align with the translator competency, so we have added the strategic competency; nevertheless, translators and interpreters can share the other competencies. We identified a high emphasis on the technical and professional competence, since these courses highlight the professional side of the expert translator. It is logical to have a professional competence related to the types of clients, quotation of the service, management and quality assurance of the product, and the rendering of an expert opinion. The thematic competence also has a high presence in all 5 courses, due to their level of expertise and the legal and judicial subject matter they deal with. The communicative competence is present in 3 courses, but it is a bit odd that the linguistic acquisition of languages is not specifically mentioned. Ethical competence is also included given the importance of ethical codes in legal cases in which confidentiality is paramount. If we compare these two categories, we will notice that MSL interpreting courses emphasize the communicative competence, while expert courses highlight the thematic competence, as well as the technical and professional competence. For achieving a more comprehensive training, the court interpreter in MSL should participate in the courses dedicated to interpreting and those specialized in the expert function, which are currently available on the Mexican market.

5 CONCLUSIONS

The role of the court interpreter in Mexican Sign Language has been invisible since the first call for experts' appointment at the federal level by the Federal Judiciary. There are no clear and precise guidelines that regulate Mexican Sign Language interpreting. Furthermore, there is a confusion between the status of sign language and language in signs (*lengua vs. lenguaje*). The selection process for interpreters is also unclear, due to an absence of MSL training courses in general and more specifically in the judicial field.

The existing courses, both on MSL interpreting and the expert function, present significant deficiencies in didactic and methodological aspects. We notice the repetition of contents throughout the proposed levels (Basic I, II, II) or courses without syllabus, which hinders the understanding of the topics covered. For those who wish to study MSL interpreting, there are very few options. If they want to deepen their knowledge, they will face a difficult scenario to achieve it in the Mexican market. As for the

expert function, the courses merely focus on translation, but the interpreter could at least acquire knowledge about the process of becoming an expert witness and how to render an expert testimony.

We conclude that the access to justice for persons with disabilities could be affected due to the absence of training for court interpreters. The judicial field requires a prominent level of knowledge as well as communicative and thematic competence in the law, trial stages, and legal terminology. We propose a model where these courses include a comprehensive approach to legal competencies. This study describes a reality that is far from being inclusive and from guaranteeing the equal access of deaf people to judicial proceedings.

REFERENCIAS

ACADEMIA DE LOS GRANDES TRADUCTORES. La traducción certificada en México. 2023. Disponible en: https://traduccionjuridica.es/traduccion-certificada-mexico/. Acesso em: 27 ago. 2024.

BECERRA ORÉFICE ABOGADOS. E*tapas del Procedimiento Penal Acusatorio en México*, 2023.

CÁMARA DE DIPUTADOS DEL H. CONGRESO DE LA UNIÓN. *Código Federal de Procedimientos Civiles. Decreto DOF 07-06-2023, Capítulo IV*. México, 2023.

CÁMARA DE DIPUTADOS DEL H. CONGRESO DE LA UNIÓN. *Código Nacional de Procedimientos Penales. 5.03.2024. Capítulo IV*. México, 2024.

CÁMARA DE DIPUTADOS DEL H. CONGRESO DE LA UNIÓN. *Ley General de Responsabilidades Administrativas, DOF 27.23.2022*, México, 2023.

CÁMARA DE DIPUTADOS DEL H. CONGRESO DE LA UNIÓN. Ley General para la Inclusión de las Personas con Discapacidad. DOF 04.04.2024 Capítulo IX, México, 2011.

CARREÓN CASTRO, M.C; ROSADO, T.; MAYA ORTEGA, D. *Manual del intérprete judicial en México*. México: Tirant lo Blanch, 2017.

CONSEJO DE LA JUDICATURA FEDERAL. Acuerdo General del Pleno del Consejo de la Judicatura General que Regula la Integración de la Lista de Personas que Pueden Fungir como Peritos ante los Órganos del Poder Judicial de la Federación en Relación con la Integración de la Lista, México, 2022.

CONSEJO DE LA JUDICATURA FEDERAL. *Comunicado 70/2023*. 2023. Disponible at: https://www.cjf.gob.mx/documentos/Comunicados%20Prensa/docsComunicadosPrensa/2023/comunicado70.pdf. Acesso em: 27 ago. 2024.

CONSEJO DE LA JUDICATURA FEDERAL. *Proceso Penal y sus etapas*. Disponible at: https://www.cjf.gob.mx/sjpa/ . Acesso em: 27 ago. 2024.

CONSEJO NACIONAL PARA EL DESARROLLO Y LA INCLUSIÓN DE LAS PERSONAS CON DISCAPACIDAD. *Día nacional de la Lengua de Señas Mexicana (LSM),* 2019. Available at: https://www.gob.mx/conadis/articulos/dia-nacional-de-la-lengua-de-senas-mexicana-lsm-203888?idiom=es. Acesso em: 27 ago. 2024.

CORNEA, I.; TUCKER, A. Educating Legal Translators in Virtual Environments: UNAM's Online Legal Translation Certificate. *In:* DEJICA, D.; EUGENI, C, DEJICA-CARTIS, A. (ed.). *Translation Studies and Information Technology - New Pathways for Researchers, Teachers and Professionals.* Timişoara: Editura Politehnica, Translation Studies Series, 2020.

FOURNIER, C. Courtroom interpretation for the Deaf in France. *Meta*, v. 42, n. 3, p. 533-545, 1997.

GILE, D. *Basic Concepts and Models for Interpreter and Translator Training.* Revised edition. Amsterdam/Philadelphia: John Benjamins, 2009.

HALE, S. *Community Interpreting.* London: Palgrave Macmillan, 2017.

HALE, S. *The Discourse of Court Interpreting. Discourse Practices of the Law, the Witness and the Interpreter. A*msterdam/Philadelphia: John Benjamins**,** 2011.

LEESON, L.; NAPPIER, J.; HAUG, T. ET AL. Access to justice for deaf signers: the Justisigns project**.** *In:* GOEDELE A. M. De Clerck (ed.). *UNCRPD Implementation in Europe -A Deaf Perspective, Brussels: European Union of the Deaf (EUD)*, 2021.

MARTÍN GARCÍA, A. *El proceso judicial y la formación en interpretación: ¿mundos convergentes?* Tesis doctoral. Universidad Pontificia Comillas, 2021. Disponible en: https://repositorio.comillas.edu/rest/bitstreams/442168/retrieve. Acesso em: 27 ago. 2024.

MARTORELLI, J. P. *La prueba pericial. Considrraciones sobre la prueba pericial y su valoración en la decisión judicial. REDEA. Derechos en Acción*, 2, 4, 2017. Disponible en: https://www.corteidh.or.cr/tablas/r37709.pdf. Acesso em: 27 ago. 2024.

NAPIER, J; MCEWIN, A. DO DEAF PEOPLE HAVE THE RIGHT TO SERVE AS JURORS IN AUSTRALIA? *Alternative Law Journal*, v. 40, n. 1, p. 23-27, 2015.

NAPIER, J.; HALE, S. *Research Methods in Interpreting. A Practical Resource.* London/New Delhi/New York/Sydney: Bloomsbury Publishing, 2013.

NAPIER, J.; NAPIER, K. Walking a fine line – The legal system and sign language interpreters: Roles and responsibilities. *Journal of Applied Linguistics and Professional Practice*, v. 13, p. 233-253, 2018.

SISTEMA NACIONAL DE COMPETENCIAS EL CONSEJO NACIONAL DE NORMALIZACIÓN Y CERTIFICACIÓN DE COMPETENCIAS LABORALES (CONOCER). *EC1319 Interpretación de conferencia de lengua de señas mexicana – español.* Disponible en: https://conocer.gob.mx/contenido/publicaciones_dof/2020/EC1319.pdf , 2017. Acesso em: 27 ago. 2024.

SUPREMA CORTE DE JUSTICIA DE LA NACIÓN. El sistema jurídico mexicano. 2006. Disponible en: https://www.scjn.gob.mx/sites/default/files/material_didactico/2016-11/Sistema-Juridico-Mexicano.pdf. Acesso em: 27 ago. 2024.
VALERO-GARCÉS, C.; MARTIN, A. (dir.). *Crossing Borders in Community Interpreting. Definitions and Dilemmas.* Amsterdam/Philadelphie: Benjamins Translation Library, 2008.

VALERO-GARCÉS, C*. Una visión general de la evolución de la Traducción e Interpretación en los Servicios Públicos. Traducción e interpretación en los servicios públicos. Contextualización, actualidad y futuro.* Granada: Editorial Comares*,* 2003a.

WHEATLEY, M.; de WIT, M. Joint Co-operation: The only way forward. *In:* COSTELLO B., THUMANN, M.; SHAW, R. (ed.). *Proceedings of the 2011 Conference of the World Association of Sign Language Interpreters.* Coleford, England: Douglas McLean, 2014. p. 119-128.