

## TEACHING ENGLISH-UKRAINIAN LEGAL TRANSLATION AS A KIND OF SPECIALIZED TRANSLATION

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*For today's Ukraine it is important to develop legal linguistics and legal translation. The present-day political situation and striving of the country to become an EU member-state demands coordinating of existing rights and duties of people with the ones accepted in the EU. Provision of a high-quality translation at all level of legal communication becomes essential. Hence, there is the need for law students, students studying international relations and students who are future translators to master the legal language – the language of law.*

*The topicality of the research is caused by the fact that legal translation is a new branch developing in Ukraine which is still working on theoretical and practical foundations of law linguistics and translation and needs a deeper understanding of mechanics of legal translation.*

*The aim of this study is to look through translation transformations used in translation of legal terminology within an English-Ukrainian/Ukrainian-English pair of languages. The paper also offers a model of practical exercises for teaching legal translation at a university level.*

*The results of the work show that a more spread kind of legal translation in Ukraine is written limited to the translation of legal documents of various kinds. The peculiarities of both written legal translation and oral legal translation are defined by differences in legal vocabulary and syntactic structures of English and Ukrainian. Special attention should be paid to terminological collocability, law realities, law terms of Latin and French origin.*

**Key-words:** *legal vocabulary, semantic and syntactic difficulties, translation transformations.*

Legal translation is a “linguistic and legal procedure for reproducing the legal content of a legal text of a culturally specific legal system of one country and in its language using the specific language of the recipient’s legal system in order to preserve the relevant legal meaning and/or implement the pragmatic functions of the translated message/text” [9, pp. 110 – 112].

**Literature review.** In Ukraine, legal translation as such is undergoing a stage of developing its theoretical and practical foundations, which is confirmed by the not numerous works on the theory and methods of teaching legal English terminology by such Ukrainian scholars as G. Apalat [1], O. Viynyuk [2], Z. Kotsiuba [4], V. Karaban [3; 4], and A. Lyashuk [7] which explains **the topicality of this research.**

**The methods of research** combine analysis and synthesis of theoretical and practical works of contemporary scholars on the topic of legal translation, as well as the description of methods for teaching specialized translation based on the author’s (T.McGowan) own **practical materials** developed for classes in specialized translation and the teaching of topics “Crime” and “International Law”.

**The goal of the paper** is to study what legal translation is, which scientists work in legal translation and legal linguistics in Ukraine, which types of legal translation are singled out, which type of legal translation is practiced more in Ukraine, what makes peculiarities of both written legal translation and oral legal translation, describe the code of ethics of a court translator, point out lexical and syntactical pitfalls of legal translation. look through translation transformations characteristic for translation of legal terminology and legal realities within an English-Ukrainian/Ukrainian-English pair of languages and to offer a set of practical exercises for teaching legal translation at a university level.

**The findings.** Legal translation, like any other professional translation, requires from a translator a significant language knowledge base as well as competence not only in the field of law and jurisprudence, but also in other areas [9, p. 44], since legal translation, as an interdisciplinary

discipline, is based on the achievements of linguistics, law, translation studies, especially their comparative subfields – comparative linguistics, comparative law, legal linguistics.

The requirements for a translator are determined by the norms of the Criminal Procedure Code of Ukraine: a translator is another participant in criminal proceedings who is fluent in the state language as well as the language of the court participant who needs the translation, a translator is not personally interested in the results of the case hearing and is invited into criminal proceedings by authorized persons (bodies) (Translation in progress). The definition provided does not specify the criteria for the competence and qualification of a translator in legal translation, narrowing their professional compliance to the presence of the following: a diploma indicating specialization, the translator's age and registration in the Reference and Information Register of Translators, the procedure for maintaining which is approved by the order of the Ministry of Internal Affairs of Ukraine dated March 11, 2013 No. 228 [9, p. 22].

*Legal translation is viewed differently in Ukraine and the USA:* legal or judicial translation in the USA is considered to be a type of translation that takes place in courts and is mostly an oral translation of a simultaneous or consecutive nature. Legal translation in Ukraine mainly includes written translation of legal documentation, and not the work of a translator in the courtroom, since the official language of legal proceedings in Ukraine is Ukrainian [6, p. 28].

Written legal translation is based on the principles of objectivity and reliability, namely [10]:

1) the translation must be objective and unemotional, that is, one that reflects the facts, and not a subjective assessment of the content of the document;

2) the translation must be understandable and accurate.

To implement the principle of objectivity at the lexical level, the following should be avoided:

a) subjective evaluative linguistic means in the text of documents;

b) emotionally colored words, dialect words and jargon, instead, commonly used words and legal terminology should be preferred.

At the syntactic level the principle of objectivity is implemented thanks to:

a) the avoidance of direct speech;

b) the absence of exclamatory, interrogative and imperative sentences;

c) the widespread use of passive constructions and complex sentences;

d) the expression of imperatives using the infinitive form or impersonal inflection.

The principle of reliability is achieved by adhering to a number of speech conventions:

a) logical consistency;

b) the tendency to unification and standardization;

c) persuasiveness, which involves stating the reason in a clear and substantiated form;

d) demonstrability [10].

Legal or court interpretation is a complex type of translation, as it requires the reproduction of various genres of judicial discourse along with perfect knowledge and interpretation of the norms of constitutional, administrative, criminal, civil, labor and other branches of law of the countries of both languages [6, p. 29].

*The difficulties of court translation* are due to the following tasks that arise for translators:

– to convey the meaning of the terminological language of the court to ordinary citizens who might not know it;

– to reproduce rhetorical devices, manipulative techniques, various language registers and the tone of lawyer's speeches, while preserving the syntactic structure of the sentence and the semantic content of the statement. For example, often during a trial, lawyers can use various manipulative techniques to use testimony in favor of their client. In particular, in the following example, such manipulation is based on the use of the definite and indefinite article: "*Did you see a broken headlight?* or *Did you see the broken headlight?*". An experiment conducted by Loftus showed that witnesses in most cases were inclined to answer affirmatively to the second question due to the presence of the definite article 'the' [14, p. 173]. It should be noted that the absence of an identical phenomenon of the definite article in the Ukrainian language complicates the search for appropriate strategies for reproducing the meaning for the translator;

– to convey not only the meaning of the utterance, but also the mood and state of the speaker according to the “verbatim requirement”, according to which the translator must convey all the elements of the original message that may affect the verdict. For example, Holly Mikkelson argues that in the case where a witness says: “*I, well...I don’t know...I suppose, yes, I saw him there*” this should not be reproduced generalized as “*I think, I saw him there*”, but should retain the shade of uncertainty and doubt that is in the original [15, p. 126]. Thus, the translation “*I, well, I don’t know...I suppose, yes, I saw him there*” in Ukrainian will reproduce not only the content, but also the emotional part of the message, which can be of decisive importance even when passing a verdict [6, p. 30];

– carefully select clear equivalents for each word with appropriate shades of meaning, since any word in court can be appealed against [6, p. 30];

– find a middle ground between literal translation and translation of the meaning of the statement. For example, judges usually insist on literal translation in court. However, from the point of view of a practicing translator, literal translation is often incorrect since literal translation can significantly distort the content of linguistic information. As a result of such translation, conflict situations may arise as well as mutual misunderstanding between the participants of the trial. For example, when considering a case on violation of migration legislation in one of the courts in Germany, an English-speaking defendant in his testimony called one of the witnesses in the case “brother”. The translator translated this word as “brother”, but later it turned out that the offender and the witness are not relatives, and the translator did not take into account the wider use of this word, which should be translated as “friend”. It took time to clear up the confusion and restore understanding between the court and the persons being questioned [12, p. 181];

– adhere to the same translation of terms when they are used again in order to avoid terminological confusion, which requires the translator to familiarize themselves with the case and documents in advance and to compile a glossary of terms. For example, the translator needs to have the same understanding of the context and circumstances of the case as the lawyers and witnesses participating in the hearing. Without this, it is sometimes impossible to find a linguistic equivalent. That is why, translators need to have the case materials in advance: for example, statements of claim and responses, a chronology of events agreed upon by the parties, lists of actors and written testimonies of witnesses and experts in both languages as well as materials about which questions may arise. When reading the materials in two languages, the translator creates a glossary of terms already used by the parties in order not to create confusion among English-speaking listeners. For example, an act of acceptance-transfer, which was translated in writing by another translator as an “act of acceptance”, and orally by the translator will call it a “handover certificate”. In this case, the impression may arise that these are two different documents. It has been not the first time that during such readings significant errors were found in the written translation of documents [12, p. 183].

*The professional ethics of a court interpreter* was developed by the National Association of Judicial Interpreters and Translators (NAJIT) and includes the following requirements [16]:

1. The original message must be transmitted without distortion, additions, deletions, and the tone and register must be preserved. Any fabrication is unacceptable: if the translator did not hear something, they must find it out.

2. The translator must be impartial and not be involved in a conflict of interest from any party (court, plaintiff, accused), but remain independent and objective and seek the truth. For example, the question may arise as to whose side the translator is on and who pays for their services. According to the law, a translator is involved in a criminal case by an investigator, plaintiff or court (judge), and the translator’s remuneration is carried out by the decision of these bodies or officials. The task of the trial is to establish the truth on the basis of the collected evidence, among which the testimonies of the defendant, the victim, witnesses and other persons are of great importance. In this sense, the meaning of the translator is to assist the court (investigation) in obtaining evidentiary information in the case, and the translator is perceived as an assistant to the investigation or the court. On the other hand, the purpose of the translator’s participation in the trial is to express the legitimate interest of a person who does not speak the language of the court proceedings, primarily the accused, in the right to defense. For a translator who is involved in working in a court case,

psychological preparation is a very important issue, since the detained offender or suspect may be, for example, a compatriot, countryman or other person who subconsciously or openly seeks support from the translator, hopes for some clues and real help. At the same time, the translator is subject to pressure, sometimes outright distrust from the authorities. There are also situations when foreigners feel prejudice against the state where they are, but at the same time they trust the translator, because the latter knows their cultural environment, is their compatriot. As for whose side the translator is on, it should be determined what comes first for the translator: the interest of finding the truth or the interest of protecting the defendant [12, p. 181].

3. The translator should not reveal any details of the case, and all notes should be destroyed afterwards. A necessary requirement for the translator is confidentiality, that is, to keep in secret the information that is confidential by law. The translator may be warned by the investigator or the investigator about the non-disclosure of information from the preliminary investigation which he signs with a warning of liability [12, p. 182].

4. The translator should not perform any other work, except translation, for example, giving advice on the case, interpreting realities, laws, terms, since this is not the work of the translator. For example, socio-cultural differences can lead to some misunderstandings and complicate the communicative situation, and the translator sometimes has to give explanations. But at the same time, the translator should not be a consultant and give their own explanations. For example, at one of the court hearings, during the dialogue between the judge and the offender, the translator began to say something in the offender's language, which clearly did not correspond to the judge's short question. The judge interrupted the translator and asked about it, to which the translator replied that he was explaining some provisions of the law. To this the judge replied that he would provide all the necessary explanations himself and that this was not part of the interpreter's task.

5. The interpreter must adhere to the rules of the court process, translate from the first person, indicate when they want to say something on their own behalf.

6. The interpreter must maintain their knowledge in the field at the proper level at all times, constantly improving their professional skills.

7. Regarding obstacles, the interpreter must report any circumstances that prevent the proper performance of the duties: fatigue, ignorance of certain terminology, inability to hear the speaker.

Some other aspects of professional court translator's ethics are as follows [12, p. 182–183]:

- The interpreter's behavior must be tolerant, with a respectful attitude towards the participants in the court, for example, not turning their back on the speaker;

- The interpreter's language should be clear, without vocabulary noise and unnecessary sounds;

- It is necessary to discuss the type of translation that will be used during the trial, since consecutive and simultaneous translations require different skills from the interpreter and require different time costs, which may affect the organizational aspects of the hearing, since consecutive translation takes twice as long as the simultaneous one. For example, oral translation includes two types of translation, consecutive and simultaneous. Both types require separate skills and training, not every translator has both. In consecutive translation, the interpreter is next to the witness or expert, or next to the accused person, and translates sentence by sentence or segment by segment, relying on their written notes. The lawyer asks questions, pauses during which the interpreter translates. The same thing happens when, for example, the witness answers: after each sentence, there is a pause during which the interpreter translates. Naturally, in this case, the testimony takes twice as long as if the witness immediately listened and responded in the language of the proceedings. If this is not taken into account in the planning, the schedule will be disrupted, the speeches will have to be postponed, another expert will already be busy at that time [8].

- Find out the possibility of the translator's refusal to translate in court. Very often this is due to pressure on the translator from the accused.

*Specifics of legal vocabulary.* Speaking about the translation of the law vocabulary, it is necessary to emphasize that written and oral legal translation is terminological. Legal vocabulary is filled with terms and clichés, which are of such an origin: mainly of Latin, frequently of French, and rarely of the native language origin [9, p. 44], for example, borrowings from Latin in English

and Ukrainian law terminology: *de facto* – *де-факто* (фактично); *de jure* – *де-юре* (юридично); *pro bono* – *про боно* (безкоштовна юридична допомога); borrowings from French in English and Ukrainian law terminology: *affidavit* – *афідевіт* (письмове свідчення під присягою), *alibi* – *алібі* (доказ невинуватості), *jurisdiction* – *юрисдикція* (юридична влада), *force majeure* – *форс-мажор* (непереборна сила), *verdict* – *вердикт* (судове рішення). Examples of judicial terms peculiar only to the US English: *double jeopardy* (a person cannot be tried twice for the same crime under the Fifth Amendment), *three strikes law* (a law that imposes harsher sentences on repeat offenders, often leading to life sentences). Only to the Ukrainian language: *люстрація* (the process of vetting and banning officials associated with previous corrupt or authoritarian regimes), *тимчасово переміщена особа (ТПО)* (a Ukrainian legal term for internally displaced persons due to the conflict with Russia 2022-present).

Another feature of legal vocabulary is its socio-cultural colouring, which is manifested in a large number of realities, especially when the legal systems of the country of the source language and the country of the target language of translation do not match, for example, legal US terms *Miranda rights* [the rights read to a suspect upon arrest, including the right to remain silent and the right to an attorney (from *Miranda v. Arizona* case, 1966)], *Gerrymandering* (manipulating electoral district boundaries for political advantage).

Another peculiarity of legal terminology is the coexistence of terms which meaning changes in translation when they are combined with other words and word combinations, for example, the adjective “legal” in Ukrainian has different translation counterparts: *юридичний* (*legal adviser* – *юрисконсульт*), *правовий* (*legal document* – *правовий документ*), *судовий* (*legal costs* – *судові витрати*), *законний, який має законну силу* (*legal owner* – *законний власник*) [12, p. 182].

The synonym rows of legal vocabulary are marked by an evaluative component, for example, the term “crime” has several synonymous equivalents with different stylistic colouring: neutral crime: “offence”, “wrongdoing”; serious crime: “felony”, “misdemeanor”. Synonymous sets can also differ in semantics to denote types of crime by the place of its happening, for example: “theft” can be “shoplifting”, “carjacking”, “pickpocketing”, “burglary” [12, p. 183].

*The main method of translating legal terms* is the selection of interlingual equivalents. In the absence of direct equivalents, it is possible to use various translation transformations like descriptive translation, copying, transliteration, permutation, concretization, addition and generalization. For example, the translation of the law expressions denoting a specific crime situation needs descriptive translation: “drive-by murder” is in Ukrainian *вбивство, скоєне навмисно особою, яка знаходиться в машині, яка вистрілила зі зброї в іншу особу, яка знаходиться поза машиною* (a murder committed intentionally by a person who is in a car who fired a weapon at another person who is outside the car), “first-degree premeditated murder” is in Ukrainian *навмисне вбивство без пом’якшуючих вину обставин* (an intentional murder without extenuating circumstances) [12, p. 183]. However, if there is a generally accepted dictionary equivalent, it is inappropriate to introduce a new term [9, p. 51].

To translate realities, one should use methods of copying, transliteration or descriptive translation, for example, *Miranda rights* – *права Міранди*, where we can observe transliteration used for the translation of the proper name into Ukrainian: **Miranda** – Міранда, permutation caused by the differences in the grammatical aspect of English and Ukrainian: Noun + Noun structure in English is substituted by flexions of the Genitive case added to the proper name in Ukrainian with the reverse order of words: **Miranda rights** – *права Міранди*.

*A practical set of exercises for teaching legal translation.*

Teaching legal translation to students should be based on their provision with a profound vocabulary of legal terms. With this in mind the first step is to acquaint students with it through different law-related texts reading. Reading of such texts will not only familiarize students with the legal vocabulary, but also create the background knowledge about law systems in the target and source language countries which is necessary for correct understanding and, hence, a right choice of translation counterparts. The texts for vocabulary introduction need to have pre-translated main terms which will facilitate the translation of them and build the base of the students’ vocabulary stock. At this level all text comprehension exercises (True / False; Finish the line; Pick up the

heading) are good. Let us look through methods of teaching legal translation using the example of the author's handout (T. McGowan) based on the text "O. J. Simpson Trial" taken from the online encyclopedia *Britannica* (18) and online sources [17]:

Ex. 1. Read the text below and pick up an appropriate title for it:

a) O. J. Simpson is a football star, b) O. J. Simpson's escape from the police, c) Nicole Brown's murder.

***O. J. Simpson trial**, criminal trial of former college and professional football star O. J. Simpson, who was acquitted in 1995 of the murder of his ex-wife Nicole Brown Simpson and her friend Ronald Goldman. It was one of the most notorious criminal trials in American history.*

*On the night of June 12, 1994, Simpson's ex-wife and Goldman were stabbed to death outside her condominium in Los Angeles, and Simpson quickly became the prime suspect. Rather than surrender to police after being notified of impending charges, on June 17 Simpson hid in the back of a sport-utility vehicle driven by his friend A.C. Cowlings. After being told that Simpson had a gun to his own head, law-enforcement officers followed the vehicle at low speeds for more than an hour. The attempted "escape" was televised live nationally – seen by an estimated 95 million viewers – and hundreds of Simpson's fans lined the streets in support of him. It ended at Simpson's home in Brentwood, California, where he was placed under arrest and taken into police custody (O. J. Simpson trial).*

Ex. 2. Mark the sentences true or false:

\_\_\_ O. J. Simpson was convicted of the murder of Nicole Brown Simpson and Ronald Goldman.

\_\_\_ The murders took place on June 12, 1994, outside Nicole Brown Simpson's condominium.

\_\_\_ Simpson immediately turned himself in to the police after being named a suspect.

\_\_\_ A. C. Cowlings drove a sports car while helping Simpson evade the police.

\_\_\_ The police followed Simpson at high speeds throughout Los Angeles.

Ex. 3. Complete the sentences using the information from the text:

1. In Brentwood, California, O. J. Simpson was placed \_\_\_\_\_.

2. The murder victims were Simpson's ex-wife, Nicole Brown Simpson, and her friend. \_\_\_\_\_.

3. Instead of \_\_\_\_\_ to police, Simpson hid in a back of the car driven by A. C. Cowlings.

4. The police followed the vehicle at low speeds because Simpson had a \_\_\_\_\_ to his head.

5. Simpson quickly became the \_\_\_\_\_.

The next step is activization of the introduced vocabulary for which such exercises can be used:

1. Students need to find the counterparts of the translated legal terms in the original texts.

2. Explain the meaning of the terms in English. 3. Restore the content of the text by the terms.

4. Translate parts of the introduced text into the target and source language. For example,

Ex. 4. Match counterparts of the terms:

1. Criminal trial

2. Acquittal

3. Murder

4. Prime suspect

5. Charges

6. Law enforcement officers

Основний підозрюваний

Вбивство

Обвинувачення

Правоохоронні органи

Виправдання

Судовий кримінальний процес

Ex. 5. Explain the meaning of the following terms:

*court sentence, arrest, police pursuit, stabbed to death, impending charges.*

Ex. 6. Retell the text by the following terms:

*notorious criminal trial, victims, the prime suspect, instead of surrendering, a gun to the head, law-enforcement officers, placed under arrest.*

Ex. 7. Translate the text from English into Ukrainian and from Ukrainian into English at sight:

1. *O. J. Simpson was acquitted in 1995 of the murder of his ex-wife Nicole Brown Simpson and her friend Ronald Goldman.* 2. *Вбивство сталося 12 червня 1994 року біля квартири Ніколь Браун Сімпсон.* 3. *Simpson's ex-wife and Goldman were stabbed to death.* 4. *Муммево Сімпсон став головним підозрюваним.* 5. *Rather than surrender to police after being notified of impending charges, Simpson hid in the back of a sport-utility vehicle.* 6. *Дізнавшись, що Сімпсон тримає пістолет біля своєї голови, правоохоронні органи понад годину переслідували автомобіль на низькій швидкості.*

Another group of exercises is aimed at developing memory and memorization of the terms. Such exercises are based on grouped by categories terms that students should reproduce after looking at and memorizing them for two minutes. For example,

Ex. 8. Reproduce the terms by heart after memorizing them for two minutes:

a) *escape, police pursuit, charges, arrest, custody;*

a) *court, defense, prosecution, evidence, sentence.*

Very close to the mentioned above group is a kind of exercises where students familiarize themselves with proper nouns – names of people, public institutions and organizations, geographical names, titles and positions of employees that need correct pronunciation, translation and memorization. For example,

Ex. 9. Translate the proper names:

*O. J. Simpson, Nicole Brown Simpson, Ronald Goldman, Lance Ito, Marcia Clark, Christopher Darden, F. Lee Bailey, Robert Blasier, Shawn Chapman Holley, Robert Shapiro, Alan Dershowit, Robert Kardashian, Johnnie Cochran, A. C. Cowlings, Mark Fuhrman.*

The next stage is robust translation drilling which includes sight translation of a bunch of original texts which have key-words and word-combinations introduced before the text the meaning of which students need to guess by matching them with their 1) translation, or 2) explanation. For example,

Ex. 10. Translate the text into Ukrainian at sight matching the terms with their translation counterparts in a) and explanations in b): *arraign, attorney, witness, testify // свідок, адвокат, свідчити, звинуватити;*

1. *a plea of not guilty* 2. *domestic violence* 3. *to frame* 4. *take the stand //*

a) *A formal statement made by a defendant in court declaring that they are not guilty of the charges against them;* b) *To falsely accuse someone of a crime they did not commit in order to make them appear guilty;* c) *To testify in court as a witness, usually by answering questions under oath;* d) *Abuse or violent behavior occurring within a household, typically between partners or family members*

*Simpson was formally arraigned on July 22, 1994, entering a plea of not guilty. The trial began on January 24, 1995, with Lance Ito as the presiding judge. The Los Angeles district attorney's office, led by Marcia Clark and Christopher Darden, emphasized the domestic violence that had occurred prior to and after the Simpsons' 1992 divorce as a motive for the murders. The attorneys representing Simpson, known as the "Dream Team," included F. Lee Bailey, Robert Blasier, Shawn Chapman Holley, Robert Shapiro, Alan Dershowitz, and Robert Kardashian, the latter of whom was also Simpson's longtime friend; Johnnie Cochran later became the defense team's lead attorney. The Simpson defense was based largely on the grounds that evidence had been mishandled and that many members of the Los Angeles police department were racist, particularly Mark Fuhrman, a detective who allegedly found a bloody leather glove at Simpson's home. The defense team argued that the glove could not have been Simpson's, because it appeared too small for his hand when he tried it on in the courtroom. In addition to the glove, the defense claimed that other important evidence had been planted by the police to frame Simpson. During the trial, which lasted more than eight months, some 150 witnesses testified, though Simpson did not take the stand (O. J. Simpson trial).*

Another group of exercises is to practice sight translation of the texts with the same legal terms but from the target language to the source one, for example,

Ex. 11. Translate the text into English at sight:

*Американський суд прийняв рішення про дострокове звільнення О. Джея Сімпсона  
Знаменитий футболіст і актор відсидів 9 років*

*У четвер, 20 липня, в США завершилися слухання про дострокове звільнення американського актора і спортсмена О. Джея Сімпсона, який відбуває покарання за збройне пограбування і напад. Як повідомляє “Голос Америки”, рада з умовно-дострокового звільнення вирішила, що його можна звільнити з в’язниці.*

*О. Джей Сімпсон – знаменитий гравець в американський футбол, внесений до Залу слави НФЛ. Після завершення спортивної кар’єри знімався в різній рекламі, працював коментатором і знявся в десятичі фільмів.*

*У 1994–1995 роках у Каліфорнії відбувся судовий процес у справі Сімпсона, якого звинувачували у вбивстві його колишньої дружини Ніколь Браун Сімпсон і її друга Рональда Голдмана. Футболіста виправдали, але потім за цивільним позовом родичі загинули відсудили 33,5 млн доларів.*

*У 2008 році Сімпсона посадили у в’язницю на 33 роки за пограбування торговця спортивними трофеями, у якого були кубки, що раніше належали футболістові. У 2017 році завершився мінімальний термін, після якого Сімпсон міг просити про дострокове звільнення (American court).*

The next kind of exercises is independent translation of the original texts where students create their own vocabulary of legal counterparts themselves and translate the texts. For example,

Ex. 12. Read and translate the text, make up your pool of legal terms and their Ukrainian counterparts:

*On October 2, 1995, the jury finally began deliberating and reached a verdict in less than four hours. Ito, however, delayed the announcement until the following day. On October 3 Simpson was found not guilty of the murders of Nicole Brown Simpson and Ronald Goldman. After the verdict, polls of public opinion continued to break down along racial lines. Whites were largely dismayed by the jury’s decision, whereas the majority of African Americans supported it, seeing Simpson’s acquittal as a victory in a legal system that systematically discriminated against Blacks.*

*Although Simpson was acquitted in the criminal case, he was also sued by the victims’ families for wrongful death, and the civil trial began in October 1996. Less than four months later, that jury found him responsible for the deaths of Nicole Brown Simpson and Ronald Goldman and awarded their families \$33.5 million in damages (O. J. Simpson trial).*

Solidifying exercises are based on the revision of the whole vocabulary studied, for example,

Ex. 13. Translate the legal terms into Ukrainian at a fast tempo:

*jury, law enforcement officers, murder, not guilty plea, plaintiff, police custody, police pursuit, presiding judge, prime suspect, prosecution, testify, take the stand, trial, verdict, wrongful death.*

Ex. 14. Translate the legal terms into English at a fast tempo:

*Виправдання, притягнення до відповідальності, арешт, звинувачення, цивільний судовий процес, кримінальний судовий процес, збитки, відповідач, команда захисту, обговорення, окружний прокурор, домашнє насильство, докази, сфабрикувати, суддя.*

Another group of solidifying exercises moves away from any visual support for translation to purely oral translation by ear: consecutive and simultaneous interpreting. Consecutive translation is performed when the speaker makes pauses within which the interpreter should manage to translate the message. Note-taking, that is abbreviated record making, is often used by interpreters to remember bulky messages. It demands from the translator immediate understanding of the original message, retaining it in the memory, making notes and restoring the information from these notes [13, p. 290]. Simultaneous translation is done at the same time as the original message is produced, it starts either immediately or with 5-6 words difference. Simultaneous translation can be oral one-way or two-way interpretation produced within limited time span with or without special equipment [13, p. 291]. It is quite often impossible to reproduce classical simultaneous translation with an

interpreter being in a separate booth, receiving information through the earphones and translating it via a microphone due to technical issues at class. Though “whispering” technique can be a very good drill which allows to involve a big number of students at the same time: some students play the role of foreigners in need of translation and check the correctness of their groupmates’ translation, some produce the speech to be interpreted if there are no recorded texts, others play the role of interpreters. “Whispering” is an oral translation aimed at a specific recipient (or recipients) with or without special equipment. When it is done with special equipment, it provides simultaneous translation to a group of recipients with an interpreter being in the hall where the event takes place, or outside it (subject to the operation of the equipment). “Whispering” without equipment is carried out by an interpreter, being directly behind the recipient. It is often used at events which don’t presuppose translation into the recipient’s language [13, p. 291]. For example,

Ex. 15. Translate the recording of the text from ex. 12 consecutively.

Ex. 16. Translate the recording of the text from ex. 10 using whispering technique.

Ex. 17. Translate the recording of the text from ex. 1 simultaneously.

The final group of solidifying exercises is based on case scenario practice when students need to role-play a trial simulation followed by notes taking of all the hearing. For example,

Ex. 18. Role play the court hearing of O. J. Simpson.

**Conclusions.** The study shows that legal vocabulary in both the Ukrainian and English languages is specific despite a great number of terms coming from Latin and Old French. Terminological collocability, law realities, different language systems are the pitfalls of successful translation. Though legal translation is presented by written and oral forms, the main criterion of its success is exactness and pragmatic correspondence. Objectivity and impersonality are characteristics of written legal translation. Oral translation is more complicated as it should reflect rigidity of legal terminology and rich pragmatic modality of attorneys, witnesses and plaintiff’s speeches. The legal vocabulary itself needs precise translation demanding the usage of direct counterpart. In case of the absence of the latter copying, transliteration / transcription, descriptive translation as well as addition or reduction translation transformations are used. Teaching legal translation demands not only memorizing terms, but also familiarizing students with legal notions and systems in source and target language countries.

**Implications.** The study shows the acute necessity for Ukraine to develop clear and exact demands for professional competence of legal translators and interpreters and to create a pool of court written translators and oral interpreters as well as the theoretical and methodological base for teaching future legal translators.

**Limitations and Future Scope.** Though the findings of the study are sufficient, some areas demand further research. We mainly concentrated on identifying types of legal translation, vocabulary peculiarities, difficulty of legal terms translation and ways of their translation. We also looked through teaching methods concerning sight and oral translation. The future research might encompass creating thematic glossaries of legal vocabulary and specifics of teaching written translation.

#### Список використаної літератури

1. Апалат Г. П. Англomовний юридичний дискурс і його відтворення українською мовою : автореф. дис. ... канд. філол. наук : 10.02.16. / Національний університет ім. Т. Шевченка. Київ, 2002. 19 с.
2. Війнюк О. Ю. Відтворення англійської юридичної лексики в українських наукових перекладах. Київ : Київський національний університет імені Тараса Шевченка, 2003. 221 с.
3. Карабан В. І. Переклад англomовної юридичної літератури. Вінниця : Нова книга, 2006. 656 с.
4. Карабан В. І., Рудь І. А. До теорії англо-українського юридичного перекладу. *Languages and Cultures in New Europe: Contacts and Identity*. 2009. С. 369–374.
5. Коцюба З. Г. Експресивність номінативних речень як перекладацька проблема у перекладі юридичних текстів (на матеріалі англійської та української мов). Київ : Київський національний університет імені Тараса Шевченка, 2001. 198 с.
6. Лобода Ю. А., Власюк А. О. Сучасний стан та перспективи розвитку судового перекладу в Україні. *Science and Education a New Dimension. Philology*. 2018. Vol. VI (49), Issue 166. С. 27–31. DOI: <https://doi.org/10.31174/SEND-Ph2018-166VI49-06>.
7. Ляшук А. М. Семантична структура лексики на позначення понять права в українській та англійській мовах. Кіровоград : КОД, 2008. 240 с.

8. Переклад у процесі. *Pravo*. URL: <https://pravo.ua/articles/pereklad-u-protsesi/> (дата звернення: 23.02.2025).
9. Савченко Е. О. Перекладацький аспект англomовних юридичних текстів. Суми : Сумський державний університет, 2021. 156 с.
10. Стоянова Т. В. Особливості перекладу юридичних документів ЮНЕСКО щодо захисту права на освіту. Одеса : Південноукраїнський національний педагогічний університет імені К. Д. Ушинського, 2019. 172 с.
11. Шаблій О. А. Юридичний переклад як складова правової діяльності. *Українська мова в юриспруденції: стан, проблеми, перспективи* : тези доповідей VIII Всеукраїнської науково-практичної конференції. Київ : Національна академія внутрішніх справ, 2012. С. 110–112.
12. Єлісеєва С. В. Труднощі перекладу судових справ. *Науковий вісник Міжнародного гуманітарного університету*. Серія : Філологія. 2023. № 59(1). С. 180–184. DOI: <https://doi.org/10.32841/2409-1154.2023.59.1.41>.
13. Daminov N. K. The Role of Simultaneous Interpretation in the System of Types of Translation. *International Journal on Integrated Education*. 2022. Vol. 5, № 11. P. 10–15.
14. Hale S. *Community Interpreting*. London : Palgrave Macmillan, 2007. 301 p.
15. Mikkelsen H. Community interpreting: An emerging profession. *Interpreting*. 1996. Vol. 1. P. 125–129.
16. NAJIT Code of Ethics and Professional Responsibilities. *NIWAP Library*. URL: <https://niwaplibrary.wcl.american.edu/wp-content/uploads/NAJITCodeofEthicsFINAL.pdf> (date of access: 23.02.2025).

#### Список використаних джерел

17. American court rules on early release of O. J. Simpson (2017). LB.ua. Available at: [https://lb.ua/world/2017/07/21/372022\\_amerikanskiy\\_sud\\_prinyal\\_reshenie.html](https://lb.ua/world/2017/07/21/372022_amerikanskiy_sud_prinyal_reshenie.html).
18. O. J. Simpson trial. (n. d.). Britannica. Available at: <https://www.britannica.com/event/O-J-Simpson-trial>.

#### References

1. Apalat, H. P. (2002). Anhlomovnyi yurydychnyi dyskurs i yoho vidtvorennia ukrainskoiu movoiu [English-language legal discourse and its reproduction in Ukrainian]. Extended abstract of Candidate's thesis (Ukrainian language). Kyiv, 19 (In Ukr).
2. Viiniuk, O. Yu. (2003). Vidtvorennia anhliiskoi yurydychnoi leksyky v ukrainskykh naukovykh perekladakh [Rendering English legal vocabulary in Ukrainian academic translations]. Kyiv: Taras Shevchenko National University of Kyiv, 221 (In Ukr).
3. Karaban, V. I. (2006). Pereklad anhlo-movnoi yurydychnoi literatury [Translation of English legal literature]. Vinnytsia: Nova Knyha, 656 (In Ukr).
4. Karaban, V. I., & Rud, I. A. (2009). Do teorii anhlo-ukrainskoho yurydychnoho perekladu [Toward a theory of English-Ukrainian legal translation]. In: *Languages and Cultures in New Europe: Contacts and Identity*, 369–374 (In Ukr).
5. Kotsiuba, Z. H. (2001). Ekspresyvnist nominatyvnykh rechen yak perekladatska problema u perekladi yurydychnykh tekstiv (na materialy anhliiskoi ta ukrainskoi mov) [Expressiveness of nominative sentences as a translation problem in legal texts (based on English and Ukrainian)]. Kyiv: Taras Shevchenko National University of Kyiv, 198 (In Ukr).
6. Loboda, Yu. A., & Vlasiuk, A. O. (2018). Suchasnyi stan ta perspektyvy rozvytku sudovoho perekladu v Ukraini [Current state and prospects of court interpreting development in Ukraine]. In: *Science and Education a New Dimension. Philology*, VI(49), 27–31. DOI: <https://doi.org/10.31174/SEND-Ph2018-166VI49-06> (In Ukr).
7. Liashuk, A. M. (2008). Semantychna struktura leksyky na poznachennia poniat prava v ukrainskii ta anhliiskii movakh [Semantic structure of legal terminology in Ukrainian and English]. Kirovohrad: KOD, 240 (In Ukr).
8. Pereklad u protsesi [Translation in process]. (n. d.). *Pravo*. Available at: <https://pravo.ua/articles/pereklad-u-protsesi/> (in Ukr).
9. Savchenko, E. O. (2021). Perekladatskyi aspekt anhlo-movnykh yurydychnykh tekstiv [Translation aspects of English legal texts]. Sumy: Sumy State University, 156 (In Ukr).
10. Shablii, O. A. (2012). Yurydychnyi pereklad yak skladova pravovoi diialnosti [Legal translation as a component of legal activity]. In: *Ukrainska mova v yurysprudentsii: stan, problemy, perspektyvy: Materialy VIII Vseukrainskoi nauково-praktychnoi konferentsii*. Kyiv: National Academy of Internal Affairs, 110–112 (in Ukr).
11. Stoianova, T. V. (2019). Osoblyvosti perekladu yurydychnykh dokumentiv YuNESKO shchodo zakhystu prava na osvitu [Translation peculiarities of UNESCO legal documents on the protection of the right to education]. Odessa: South Ukrainian National Pedagogical University named after K. D. Ushynsky, 172 (in Ukr).
12. Yeliseieva, S. V. (2023). Trudnoshchi perekladu sudovykh sprav [Difficulties in translating court cases]. In: *Naukovyi visnyk Mizhnarodnoho humanitarnoho universytetu. Seriya: Filolohiia*, 59(1), 180–184. DOI: <https://doi.org/10.32841/2409-1154.2023.59.1.41> (in Ukr).
13. Daminov, N. K. (2022). The role of simultaneous interpretation in the system of types of translation. In: *International Journal on Integrated Education*, 5(11), 10–15 (in Eng).
14. Hale, S. (2007). *Community interpreting*. Palgrave Macmillan (in Eng).
15. Mikkelsen, H. (1996). Community interpreting: An emerging profession. *Interpreting*, 1(1), 125–129 (in Eng).
16. NAJIT. (n. d.). *Code of ethics and professional responsibilities*. NIWAP Library, 240. Available at: <https://niwaplibrary.wcl.american.edu/wp-content/uploads/NAJITCodeofEthicsFINAL.pdf> (in Eng).

#### List of sources used

17. American court rules on early release of O. J. Simpson. (2017, July 21). *LB.ua*. Available at: [https://lb.ua/world/2017/07/21/372022\\_amerikanskiy\\_sud\\_prinyal\\_reshenie.html](https://lb.ua/world/2017/07/21/372022_amerikanskiy_sud_prinyal_reshenie.html) (in Eng).
18. Encyclopaedia Britannica. (n. d.). *O. J. Simpson trial*. Available at: <https://www.britannica.com/event/O-J-Simpson-trial> (in Eng).

### НАВЧАННЯ АНГЛО-УКРАЇНСЬКОГО ЮРИДИЧНОГО ПЕРЕКЛАДУ ЯК РІЗНОВИДУ ГАЛУЗЕВОГО ПЕРЕКЛАДУ

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**Проблема.** Для сучасної України важливим є розвиток юридичної лінгвістики та юридичного перекладу. Сучасна політична ситуація та прагнення країни стати членом Європейського Союзу вимагають узгодження чинних прав й обов'язків громадян із тими, що прийняті в ЄС. Забезпечення високоякісного перекладу на всіх рівнях юридичної комунікації стає необхідним. Отже, виникає потреба в тому, щоб студенти-правники, студенти міжнародних відносин та майбутні перекладачі опанували юридичну мову – мову права.

**Метою дослідження** є з'ясування сутності юридичного перекладу, доробок науковців, які працюють у галузі юридичного перекладу та юридичної лінгвістики в Україні, виокремлення типів юридичного перекладу, встановлення того, який вид юридичного перекладу є найбільш поширеним в Україні, визначення особливостей письмового й усного юридичного перекладу, опис кодексу етики судового перекладача, виявлення лексичних і синтаксичних труднощів юридичного перекладу, аналіз перекладацьких трансформацій, характерних для перекладу юридичної термінології та юридичних реалій в англо-українській / українсько-англійській мовній парі, а також пропозиція комплексу практичних вправ для навчання юридичного перекладу на університетському рівні.

**Основні результати дослідження.** Робота показує, що юридична лексика як в українській, так і в англійській мовах є специфічною, незважаючи на значну кількість термінів латинського та старофранцузького походження. Термінологічна сполучуваність, юридичні реалії та відмінності мовних систем становлять труднощі для успішного перекладу. Юридичний переклад представлений письмовою та усною формами, головним критерієм його успішності є точність і прагматична відповідність. Об'єктивність та безособовість є характерними рисами письмового юридичного перекладу. Усний переклад є складнішим, оскільки має передавати суворість юридичної термінології та багату прагматичну модальність мовлення адвокатів, свідків і позивачів. Сама юридична лексика потребує точного перекладу із застосуванням прямих відповідників. За відсутності таких використовуються копіювання, транслітерація/транскрипція, описовий переклад, а також перекладацькі трансформації додавання або вилучення. Навчання юридичного перекладу вимагає не лише запам'ятовування термінів, а й ознайомлення студентів із юридичними поняттями та правовими системами країн мови оригіналу і мови перекладу.

**Наукова новизна дослідження** зумовлена тим, що юридичний переклад є новою галуззю, яка розвивається в Україні та все ще формує теоретичні й практичні засади юридичної лінгвістики та перекладознавства, ця розвідка надає стратегії та описує механізми юридичного перекладу.

**Висновки та конкретні пропозиції.** Дослідження демонструє нагальну потребу України в розробленні чітких і точних вимог до професійної компетентності юридичних перекладачів та усних перекладачів, створенні бази судових письмових та усних перекладачів, а також у формуванні теоретичної та методологічної основи для підготовки майбутніх фахівців юридичного перекладу.

**Ключові слова:** юридична лексика, семантичні та синтаксичні труднощі, перекладацькі трансформації.

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