

Professionalizing Legal Translator Training: Prospects and Opportunities

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Abstract—Legal transactions have permeated every aspect of our life. Much of this is accomplished through legal translators who, by their outputs, impact our personal and professional future. That said, this article seeks to tackle the challenges and opportunities in preparing legal translators for professional practice. The article is a quality review in its nature which adopts the descriptive approach. The interactionist perspective is adopted in this present article to examine the challenges faced by and the opportunities offered to legal translators under training. This examination is placed within the context of the rapidly evolving translation industry and its related interdisciplinary research, which covers the technology and legal translation, quality in legal translation, and training pathways for legal translators. The subjective perspective is acknowledged as the human experience is involved to explain the individual phenomena within broader context of legal translation profession. The article draws that there is a need to make changes in the legal translation status because we need to improve the translator's perception of their role. Moreover, training models adopted to prepare legal translators have to be updated by revising the outdated practices of legal translation, and integrating the social role to face the new challenges as the translators are the intercultural mediators who facilitate the international legal communication.

Index Terms—legal translation, training models, legal translator training, translation profession

I. INTRODUCTION

Making withdrawals from an ATM or downloading an app requires agreeing to terms and conditions, which are just a few examples explaining how law permeates every aspect of our lives. Our lives are largely consumed by paperwork and administrative categorization, which ultimately shape the decisions that impact our personal and professional futures. The legal system of any country, as well as the law itself, is a reflection of the nation's cultural, political, and historical development. Sadioglu and Dede state that legal texts are a reflection of the intricate systems as they represent the legal, administrative, political, and social complexity (2016). Legal jargon, even in our native tongue, can be perplexing, using complex and archaic language to describe even the most elementary of concepts. It is clear, with globalization and the movement of populations on the rise, that the role of legal translators is becoming increasingly more valuable.

In discussing the vital contribution of legal translators in attaining effective communication, this article commences with a brief synopsis of legal translation's past. Legal translation today faces challenges associated with multicultural situations where individuals come from varying cultural and linguistic backgrounds. Legal translators, who are integral in bridging communication gaps, have been undervalued in the communicative process, which has led to low professional esteem and inadequate recognition. Innovation in legal translator training has yet to achieve full integration despite its recognition in translation studies and substantial academic research. The article is a quality review in its nature which adopts the descriptive approach. The interactionist perspective is adopted in this present article to examine the challenges faced by and the opportunities offered to legal translators under training. This examination is placed within the context of the rapidly evolving translation industry and its related interdisciplinary research, which covers the technology and legal translation, quality in legal translation, and training pathways for legal translators. The subjective perspective is acknowledged as the human experience is involved to explain the individual phenomena within broader context of legal translation profession. Current translator competence models are being expanded by groundbreaking approaches like critical discourse analysis, complexity theory, and techniques for decision-making and problem-solving (Way, 2014, 2016), all of which are preparing legal translators to tackle the challenges of professional practice.

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II. LEGAL TRANSLATION EXPLAINED

The misconception that exists around the job of legal translators means they often have to go into detail about what they do. This can be a frustrating part of their day-to-day. Despite what some believe, legal translators aren't teachers or wizards. They cannot wave a wand and translate instantly while also listening to arguments in court. When faced with legal documents, such as ones for constructing sports facilities or proving child custody, legal translators can't rely on mythical buttons. They may have to put in extra hours to finish their work.

The existence of legal translators may be unknown to those who have never utilized their services. This is attributed to the fact that interpreters are more visible in legal proceedings due to their physical presence, while legal translators often work behind the scenes. This raises concerns regarding the oversight of their work and the qualifications necessary to become a competent legal translator. While court translators, interpreters, and those employed by organizations like the United Nations receive more recognition for their professional abilities, legal translators remain largely unseen. Legal translators have been honing their skills for centuries, but it's a challenging field for freelancers and agency employees dealing with daily citizen documents. The profession's scattered nature and lack of exposure fuel the current situation.

The origins of legal translation are ancient, dating as far back as the translation of the Egyptian peace treaty of Hittite in 1271 B.C (Kobus, 2022). The 6th century witnessed a significant development in the field with the translation of Emperor Justinian's *Corpus Iuris Civilis* into Greek. The need for translation and interpreting arose as empires expanded and new cultures were governed. Despite this rich history, research on legal translation's origins is scarce (Chan, 2020).

As the populace became more transient, legal and administrative systems adapted. The monitoring of crucial life events was accomplished through civil registers, marking an era of increased bureaucratic oversight. Such measures generated a greater need for translated official paperwork. A clear example can be found in the European Union, where the Directorate-General of Translation expended around €1 billion in 2013 to translate over 2 million pages across 24 official languages for EU inhabitants (European Commission, 2023). Research in the field of legal translation was not commonly conducted until the late 20th century, despite a high demand for it. But in the 21st century, this area has seen a noteworthy proliferation and is flourishing.

Despite its crucial importance, legal translation has been rather overlooked, leaving us to ask why. As it deals with the law and the exact wording of it, legal translation is often equated to Bible translation. In the past, translators were required to strictly adhere to a literal translation, there has been a gradual shift towards more functional translation and even co-drafting of legal texts. Despite early debates on translation fidelity, subsequent research has shown that translators prioritized linguistic issues rather than broader communicative functions. Fortunately, as translation studies have evolved, there has been greater emphasis on conveying the original text's intended message over strict adherence to its wording. This recognition that accuracy pertains more to content than words has been a positive development, with scholars such as Nord advocating for this shift (1997).

Translation was traditionally viewed as a linguistic pursuit with little consideration for social factors until the advent of the poly-system theories in the 1970s, skopos-functional theories in the 1980s, and post-colonialism in the late 1980s and 1990s. The role of translation agents was not always a prominent topic in discussions on equivalence, potentially leading to their exclusion from the translation process. The prevailing discussions on faithfulness and linguistic fidelity often ignored the needs of agents in social contexts. The conventional notion of translation entailed an accurate reproduction of linguistic equivalents, with any other form of translation, such as adaptation or summary, being classified as counterfeit. Ultimately, the human translator is the final arbiter in all translations and draws from their own familiarity and proficiency, regardless of the translation strategies offered by translation theory. Legal translation has been inadequately examined owing, in part, to the confidential nature of a substantial portion of legal translation tasks, which makes it challenging to amass a substantial corpus for conducting research. Consequently, earlier research was concentrated mostly on public international laws.

The cultural implications of translation necessitate code switching between languages. Nowadays, the need to cater to this demand has intensified as there is a surge in population mobility and languages that are not conventionally taught in undergraduate or secondary programs, primarily in translation degrees. The need is most apparent in legal proceedings, where a dearth of interpreters can lead to immigrants' rights being trampled upon. Limited government action is a common issue with languages utilized mostly by immigrant communities, as these populations may not be economically or politically influential. Although good intentions are present, they are seldom translated into action. This was exemplified in a report written by Erik Camayd-Freixas, wherein the rights of immigrants were violated due to the absence of translators. However, a solution to this problem has been attempted via organizations such as FITISPos, a research group at Alcalá University, Spain. FITISPos has been offering courses on community interpretation and translation since 2002.

As insufficient translation services in legal proceedings become more pressing, the European Union has taken notice and created two directives: "The Right to Information in Criminal Proceedings, Directive 2012/13/EU," and "the Right to Interpretation and Translation in Criminal Proceedings, Directive 2010/64/EU". Both seek to solve the problem by setting up listings of proficient translators and interpreters nationwide, encouraging ongoing education, and guaranteeing exceptional services, even for less common language pairs. Nonetheless, the financial predicament in the EU has resulted in these endeavors being weakened. Governments are frequently hesitant to allot funds for translation

services, despite the fact that international accords and many national laws assure the right to have an interpreter or translator. It is imperative for the governments to comprehend that lacking translation services can lead to a more substantial expenditure in the future (Leal & Ó Riain, 2023).

Deep comprehension of both the languages and legal systems represented by them is necessary when taking on the highly intricate task of legal translation. The legal aspects present in this type of translation make it a truly distinctive challenge when compared to other kinds. Translators in this field must deftly manage differences among legal systems, which frequently do not align with countries. For instance, while it forms the bedrock of the legal systems in the US, Wales, and England, Common Law does not apply to Scotland, which has its own unique legal system. French influence has resulted in a mixed legal system in Louisiana, and Australia has established its own unique sociocultural framework for common law utilization. The federal and state law division in the United States presents an additional challenge. Furthermore, the impact of history and sociocultural factors contributes to the intricate nature of legal translation. Legal systems can be tough to comprehend, especially when you consider how far-reaching they can be. Take Roman law, for instance. It once spanned from Spain to many parts of South America. Even though the language is shared, each country's system evolved differently, meaning there are numerous linguistic variations to contend with. This situation highlights the importance of legal terminology, which can be easily overlooked. Legal translators, therefore, must be able to understand not just the language, but also the legal concepts and systems that said language represents.

In the realm of legal translation, matters become even more intricate due to the frequent use of outdated language, including Latin and other antique tongues along with technical vernacular. Additionally, legal vocabulary often lacks precise translations in other languages and in situations where corresponding words may exist, their meaning could vary depending on the legal systems present. It is vital that legal translators possess adequate proficiency in comprehending this intricate terminology and possess extensive knowledge of the legal procedures and customs associated with the translation. Legal translators are tasked with possessing both language proficiency and a comprehensive comprehension of legal jargon. Timeliness and precision are key, as these experts must perform their duties with efficiency due to the time-sensitive nature of legal papers.

Translating legal text is no easy feat due to the vast disparities between legal systems and countries. This complexity poses an even greater issue for English, Spanish, and Arabic, which are languages that span many legal boundaries. The complication is magnified by the use of English as a universal legal language, which forces translators to decipher discrepancies not only among legal systems, but also between legal tongues. Necessitating translations for commercial documents from Portugal to China may require consideration of legal English as well as differing legal systems. In order to overcome these obstacles, the EU is trying to create a new legal culture and language that applies uniform concepts, free from limitations of Roman or common law systems.

From environmental agreements to legal correspondence, legal translation isn't just limited to laws and international pacts. Aside from legislative texts, legal translators usually devote more time to administrative translation. The reason behind this demand is due to the surge in population movement this century. These documents are universal in content and can touch on matters that impact people personally and professionally. They're utilized as a source of information by authorities to guide decisions that affect their everyday lives.

Administrative documents incorporate various record types, including court documents, legislative texts, and administrative, commercial, and financial texts. Their applications span across multiple fields, ranging from environmental treaties to court proceedings in terms of personal communication, and may seem ordinary. With the heightened mobility of people nowadays, there has been a higher demand for administrative document translations for various authorities. The initial step in creating administrative documents consists of collecting data through a solicitation process, followed by processing the information in a way that is suitable for the relevant authorities. The decision-making in these cases is influenced and supported by the administrative categories in use, which may differ across different cultural backgrounds. Typically, the author and recipient of these documents are the same, and the manner in which the information is processed shapes their impression of the translated version. Only nominally included or overlooked altogether in the legal text classification within the field of translation studies, administrative documents serve as documentary evidence of administrative acts that officials issue or receive, effectively intervening the daily lives of people to outline and define social identities. These documents' structure corresponds with the institutional role they perform (Salet, 2018).

Perusing administrative documents may seem simple enough, but it actually conceals varying societal conceptualizations, differing degrees of significance, and diverse social realities. Recent critical discourse analysis indicates that citizens' administrative construct may not necessarily align with the reality of their situation. Thus, when it comes to translating these documents across linguistic and cultural divides, there are numerous challenges. This is because administrative documents are culturally specific creations that are intended for receivers from the same cultural background, closely tied to administrative structures.

Throughout history, translators were viewed as outcasts in the dialogue between the writer of the source material and the reader of the converted text. Nevertheless, that perception is now obsolete and translators have become an indispensable component in the communication routine. Nowadays, translators operate in a sociocultural framework and their degree of significance fluctuates depending on their liaison with other members such as the author, customer,

and reader. Due to cultural and linguistic differences, communication can present challenges that translators are uniquely positioned to manage. By actively participating in these processes, translators can increase their visibility in society and improve their social capital. While their primary focus is on their work, they also rely on relationships with other agents in social contexts. For translators to gain legitimacy as social agents, accurately translating is not enough; they must engage with other participants in these social processes.

Many believe that translation falls behind other professions, such as law, in terms of hierarchy. Even in present times, there are those who hold the view that translators do not receive the respect they deserve. Despite being a long-standing practice, only in recent years has translation been acknowledged as an academic field. However, it continues to face difficulty in gaining acknowledgement from other fields. Translation is often misconstrued with language education, which adds to this struggle. As Friedberg observed, "translators labored in anonymity. Their names went unmentioned, a reflection of the lack of respect for their profession" (1997, p. 188).

Viewing translation as a subordinate profession, particularly in the legal industry, has sparked initiatives to alter this perception. A legitimate venture was carried out involving law and translation undergrads, revealing that the initial opinion of law students was that lawyers with multilingual capabilities were better prepared to handle tangible duties pertaining to global private law. Nevertheless, following their interaction with translation students, the students of law acknowledged their vital role in achieving the task at hand. Translation has often been seen as a less important profession, which has led to a negative public opinion about it. But, once a project was completed, 95% of translation students noticed an improvement in the perception of the profession. Due to these efforts, there are now talks about creating combined degrees in law and translation, which signals a changing attitude towards the translation profession in the legal sector.

III. LEGAL TRANSLATION: CHALLENGES AND OPPORTUNITIES

20.2% more employment opportunities in the US for translators and interpreters are expected between 2021 and 2031, as per the US Bureau of Labor Statistics' report from December 2021. This rising trend shows no signs of stopping. Indeed, because of the unregulated nature of the industry, it is challenging to pinpoint the precise portion of translation services that relate to the legal domain. Nonetheless, a survey conducted by the American Translators Association's Translation and Interpreting Compensation Survey found that out of the translators surveyed, 55% of them specialized in legal translation. Similarly, the International Standing Conference of University Institutes of Translating and Interpreting conducted a survey in 2014 and discovered that legal documents made up approximately 40-50% of the texts translated by those who participated (American Translators Association, 2022; CIUTI, 2022).

With various factors at play, the translation industry for legal documents has observed a growing demand. One of the causes behind this trend includes cross-border trading on the rise. Additionally, complicated financial transactions and the escalation of white-collar crimes on an international scale have also contributed to this growth. The emergence of global litigation strategies, a surge of patent and intellectual property cases with worldwide effects, multilingual legislation, and increased mobility and migration also play a significant role.

A. *Technology and Legal Translation*

In today's digital world, numerous translation companies are shifting their focus from the conventional project-based approach to a real-time translation process. However, this new methodology may only be suitable for legal translators working at multinational organizations or managing extensive translation tasks. Meanwhile, translators who work majorly with hard copy authentic documents, which are authorized and stamped, may not have access to a computer-based translation tool or translation memory, thus lessening its benefits. Despite any reservations, incorporating IT tools into their work is vital for legal translators to keep up with modern communication. They must overcome their reluctance towards technology while acknowledging the limitations thereof. It is obvious that machine translations will not entirely substitute humans, so there is no need to fear IT tools. Rather, translators should take advantage of them when used correctly and effectively. This can greatly streamline their work and simplify the translation process. In the domain of legal translation, there are three primary categories of automated translation technologies. The initial group is for expert legal translators designed as assistive programs. Accessible to the general public are automated translation technologies, such as Google Translate, which make up the second group. Meanwhile, the third group consists of automated systems customized for lawyers, including patent translation engines that are intended primarily or secondarily (Katan et al., 2023).

Gone are the days of word-processing tools for legal translators. Translation Environment Tools (TEntTs) or Computer-Aided Translation (CAT) tools have taken their place. These software programs, available as either desktop or cloud-based platforms, enable translation experts to import text of varying formats and utilize electronic glossaries and termbases, resulting in quicker translations and pre-export quality checks. Companies occasionally utilize automated or machine translation tools for fast and easy translation solutions. Amidst the available types of translation technologies, one needs to exercise caution when using one that utilizes artificial intelligence. This approach poses a great danger to confidentiality, as most people are unaware that even just a few lines being fed to the tool can already compromise their non-disclosure agreements. Additionally, automated translation programs often make serious mistakes that result in translations that are either laughable or completely incomprehensible. As such, companies and

institutions may benefit more from bespoke systems that are tailored to their specific needs and functions. These systems are a part of the third category of translation technology options. Developed by Google for the European Patent Office (EPO), Patent Translate is a bespoke system that excels at handling large volumes of informational texts. Other patent authorities also offer similar tools for this purpose.

Specialized niches within the translation industry can be created through technology, leading to higher demand for specific translation types. Expertise and experience in areas such as international litigation or patent law can be very valuable to legal translators in this scenario, as they require a high level of accuracy and specialized terminology that not all translators possess. This means that opportunities may arise for those with these specific skills and knowledge to thrive in the industry. Adaptation is crucial when it comes to succeeding in legal translation – it's not just about accepting that technology might reduce the demand for some services, it's about opening your mind to the vast possibilities that technological advancements provide. Staying informed and flexible enough to adjust to market fluctuations is essential for those eager to stay ahead of the curve in this field.

B. Legal Translation as a Profession

In today's world, being a translator is no longer just about having knowledge, but also about being an expert in information management and mining. The ability to efficiently find and use trustworthy information is critical and outweighs simply possessing a vast amount of knowledge. Translators in the legal context, who have been practicing this for centuries, are fortunate because they are experts in various fields and cultures. Professionals are expected to be able to handle any field in various languages and cultures. To elevate their role beyond just legal translation, legal translators must tap into their full range of skills. They must become intercultural mediators, capable of stepping in to improve communication and deliver effective solutions on behalf of clients. It's no small task, but the effort will pay off. As noted by Way, legal translators must actively shift their approach, moving from passive waiting to proactive outreach (2004). This change in mindset is essential if they want to broaden their impact and maximize the value they contribute to their clients. Compared to other professions, translators have historically eschewed self-promotion and held a less-than-favorable perception of themselves. This sense of self-deprecation has been compounded by their relative solitude in scenarios that necessitate translation. Such isolation is frequently brought about by a lack of exposure - in scenarios where in-person communication prevails, interpreters are frequently favored over translators who specialize in writing (Kelly, 2005). This disadvantage is exacerbated in legal contexts where confidential documents are common, particularly those that pertain to corporations or individuals. As a result, those who work in legal translation are often unnoticed and overlooked. The common misinterpretation is that legal translators solely operate in international associations such as the European Union or the United Nations. Nevertheless, most legal translators work as autonomous professionals, either for clients directly or through translation agencies acting as intermediaries.

In the field of legal translation, professionalization is being hindered by a multitude of agencies and associations, as per a recent study. These organizations seldom regulate entry to the profession, and tend to vie for members in countries such as Italy, the UK, and Poland. Additionally, they vary in size and background, and do not always represent specific fields like law. Globally, there are over two hundred translation associations, and some may not meet the standards of "professional bodies" that other professions, such as architects, doctors, surveyors, and lawyers, hold themselves to. Despite having achieved equivalent status to "chartered" for some professional bodies and associations, legal translators continue to lack visibility in their field in comparison to professions like architects, lawyers, and doctors. Even though legal translators often have to obtain similar, if not higher, levels of qualifications to enter the field, their profession is unrecognized. Although there have been attempts by professional bodies and associations to improve the situation, there has been little tangible progress.

IV. THE NEED FOR PROFESSIONALS AND THE QUALITY IN LEGAL TRANSLATION

Legal translators must provide precise translations as mistakes can result in serious repercussions. "Quality" and "excellence" are terms used frequently in business and professional arenas. The task of legal translation is difficult and demands knowledge in multiple areas including intercultural communication and legal terminology. The issue of defining a quality legal translation while guaranteeing its quality has been the center of debate. The question of who is capable of evaluating the quality of legal translations is also a topic of discussion. The European Committee for Standardization stated that legal translation requires different standards from regular translations (2006). Despite efforts such as the EN 15038:2006 standard for providers of translation, important factors that are crucial in legal translation are not accounted for. Unlike linguistic concerns, legal translation requires a thorough understanding of the legal context to ensure adequacy and accuracy. As such, quality benchmarks unique to legal translation's communicative situation should be established. The incorporation of these benchmarks into legal translator training and methodology is necessary. In the realm of corporate and financial law, the effects of erroneous legal translations can be quite damaging. Legal texts written in a single language can also pose issues, even if they are clear and concise. It is crucial to hire legal translators who exhibit a comprehensive grasp of the law. To make this point clear, the author will provide only two instances since space is limited.

From the *Frigalment Importing Co. v B.N.S. International Sales Corp.*⁴⁴ case as noted by Steven, it became evident that relying on expert translators in legal matters was vital, and translating on one's own accord could be costly (2023). In this instance, a Swiss firm had requested frozen chickens for both roasting and frying from a New York-based poultry wholesaler. A disagreement arose over the meaning of the term "chicken". The plaintiff held that "chicken" meant only broilers or fryers, whereas the defendant believed that it referred to stewing fowl as well. Assuming "chicken" meant "young chicken," the plaintiff used the English word in its German correspondence with the parties. The German language was the communication medium between them. However, the defendant claimed that "chicken" consisted of all birds that meet the contractual weight and quality standards, including stewing chickens. The dispute could have been avoided if a professional translator had been involved in identifying the potential terminological discrepancies.

Furthermore, a *Commodity News Service* report about a possible acquisition of an American bank by a Japanese bank in 1994 started some rumors. Unfortunately, when that report was translated into Japanese, the meaning of the word "rumors" was lost and translated as "disclosure" (Fight, 2003). Because of this, the wrong information was released, and people started to panic, leading to a run on foreign deposits. The Federal Reserve had to perform an \$8 billion bailout of Continental Illinois, which shows that translating texts by people who are not experts can have serious consequences. This situation underlines the importance of seeking out professional translation when it comes to important information.

V. TRAINING PATHWAYS FOR LEGAL TRANSLATORS

In the 21st century, legal translation faces a major hurdle with the need for capable and highly skilled translators. Recent progress in translation studies, particularly in the last ten years, has put an increased focus on training translators (Šveda, 2021). Many researchers have sought out novel tools and methods for improving this training, often by using diverse formats for translator capabilities. Although there was scant attention given to legal translator training prior to the 1990s, subsequent investigations have demonstrated that effective training can be provided even for those without expertise in law. A considerable amount of literature has accumulated since the claim made by G  mar in 1979 that legal translators can be taught. In his research, Sparer discovered that legal expertise was not necessary for the training of legal translators (1988). Scott stresses that translators can be taught the legal discourse as lawyers do when they start their learning path (2019).

Addressing the challenges of legal translator training is paramount, and these obstacles are closely integrated into the program. But what follows are the necessary tenets for tackling legal translation and the lingering anxieties that plague students: indecision and ambiguity.

In order to stimulate trainees to blend together all their skills during the advanced levels of training, the researcher suggests two techniques: A method of Critical Discourse Analysis (CDA) (see Way, 2012; Sch  ffner, 2002) and an approach to Decision-Making (Way, 2014, 2016; Sch  ffner, 2002). These methods have been merged into a self-directed, task-driven routine that oversees the growth of each translator's abilities.

Introducing legal translation students to the laws they will be working with poses difficulty for trainers as they typically come from non-law backgrounds. These students often lack familiarity with the legal discourse community and the texts they are required to translate may not have any relevance to their previous experiences or social practices.

Indeed, many students majoring in legal translation have little or no social practice experience such as attending court hearings, buying houses, and signing contracts. As a result, they lack confidence in translating legal texts in unfamiliar fields. As such, they tend to rely heavily on familiar sources and immediately search for unfamiliar terms to understand the original text. However, legal texts, especially administrative texts, contain references and assumptions to practices of social nature that students may have never experienced, meaning that their quest to reach correct searches is often unsuccessful and it is difficult to distinguish possible solutions. In his research on decision-making and dictionary use among Danish master's students, Dam-Jensen states that students often make irrational decisions that they do not fully believe (2012). That said, a new technique was chosen to handle such challenges that may emerge during training and to make students aware of an approach that they can apply when dealing with new subject areas and texts. The use of CDA in translation studies is not a new concept. In fact, it has been applied in various translation fields as a means of structuring areas of knowledge or social practice. It works by including descriptions of texts, explanations of discursive practices (production, transmission, and reception of texts), and explanations of how discursive practices relate to society process. Furthermore, it explores the relationship between these three elements and translation, which is introduced in the process as a new element.

Students will acquire the tools to develop a structured analytical process when translating legal texts. Traditionally, translation courses have focused on the text to be translated, especially jargons and terminology that cause problems for trainees. In this model, a step-by-step guidance is offered to students through a process in which texts are first integrated into social events and social processes. By locating texts within discursive practices (text production, text distribution, consumption of the text), students then become familiar with the internalized structures and social conventions that dominate the text and allow them have an access to what is called "membership resources" (Fairclough, 1995). When this information and the social practices are combined in the text being addressed, elements of the text that seemed

unclear immediately become clear. The process is then applied to the TL and target culture to find out whether there are social practices and parallel discourses that produce similar or parallel texts (Way, 2014, 2016).

Applying discourse analysis through the three-step approach gently guides trainees through the main difficulties mentioned before. Familiarity with the social practices and discourse surrounding the source text (ST) and parallel processes in the target culture can remove many of the initial underlying problems that students see in the ST. This overcomes the barrier of lack of significant experience; the integrated approach largely eliminates the need to search for unfamiliar terms, as the research mitigates the lack of familiarity with the terms and the required discourse. Finally, the instant habit of looking up a dictionary has become an old-fashioned approach.

The translation process is a complex task that requires decision-making power. Scholars such as Darwish (1995, 1999), Jumpelt (1961), Levy (1967), Toury (1985, 1995) and Holmes (2000) have studied different transformational decision-making perspectives. More recently, the focus has been on developing a translation competency-based decision-making framework that trainees can adapt and refine to their own competencies during training and professional practice. However, legal translation trainers often find it difficult to help trainees develop a comprehensive decision-making framework instead of focusing on the specific decision-making process of individual translation issues. The framework should utilize different sub-capabilities to problem solving and provide the necessary techniques and strategies for the translation process. Put differently, decision making is an important aspect of translator performance and final translation quality. In fact, the success or failure of translation depends on the translator's decision-making ability, which should be evaluated by various evaluation methods. While the shift towards a process-oriented approach in education places more emphasis on evaluating the decision-making process rather than just the final product, both aspects depend heavily on the translator's decision-making skills. As stated by Wilss, decision making and problem solving are interrelated and require both theoretical and practical knowledge (1998). As Butterfield argues, problem solving requires decisions (2016).

Translation studies are primarily concerned with the decision-making of individual translation problems rather than developing a comprehensive decision-making framework. Unsatisfied with the current state of research, the authors turned to other areas where decision-making plays a crucial role. Based on decision theory, the authors propose to organize translation problems by classifying decision situations. Snowden and Boone have developed the Cynefin execution framework which is a useful tool for organizing translation problems into five different contexts based on causality: simple, complex, complex, chaotic, and disordered (2007). While leaders should diagnose the situation and take appropriate action in the first four scenarios, the fifth disruptive scenario presents significant challenges in determining which of these categories to be applied from the first four.

If the aforementioned categories are applied to translation, we find that simple contexts belong to stable problems with clear causality. This means that cases where a translation specification or acceptable behavior can be used are classified as simple contexts. In such cases, decision-makers must identify or consider the problem, categorize it, and use established translation practices to resolve it. However, simple connections can be more complicated than they first appear, as decision makers may fail to properly understand the problem or become complacent with seemingly familiar issues. This may be due to innate thinking or conditioned responses acquired through previous experience or training. On the other hand, in complex cases, where there may be multiple correct answers to a question, decision makers must analyze different probable solutions before we implement them, which could be time-consuming. Therefore, these complex issues require higher diagnostic skills and expertise, which should be gradually introduced into the translation curriculum. Complex environments involve problems with a large number of dynamic and nonlinear interacting elements, where small changes can have disproportionately large consequences, making prediction of outcomes difficult. Solving these problems often requires creativity and an innovative approach, and although occasionally encountered, these problems, in translation, are less common than in interpretation. A chaotic environment is characterized by a constantly changing environment that creates a large degree of uncertainty. These situations involve multiple decisions and high tension and, like interpreting, are often time-bound. Finally, Snowden and Boone compared the chaotic context to the events of 9/11, which was characterized by a lack of predictability that made it extreme and unpredictable (2007).

By using the taxonomy described above, translation questions can be gradually selected during training, which gives a room for the trainer to raise the complexity of the questions asked. Trainers can also emphasize the risks of making decisions only based on previous patterns of failure or success, rather than using a clearly defined framework of decision-making. For instance, in introductory legal translation courses, students often make extensive use of glossaries of terms understood as static equivalence lists without contextualization. However, terms that have been used successfully in other contexts can be misused without careful reflection on the original text and purpose. Therefore, developing a guiding decision-making framework is crucial, especially in the early stages of legal translation training. Courses of legal translation are usually organized in accordance with the level of abstraction of legal concepts and terms that describe texts as more or less specialized. However, the proposed framework provides a ranking pattern of increasing difficulty that depends on the activation of all sub-competencies, not just subject/topic competencies. A translation coach can help students develop a decision-making framework that enables them to gradually internalize strategies of problem-solving through controlled, structured training. These processes are automated in some way, making their translation work more efficient and increasing their level of trust. Students must learn to internalize

specific mechanisms to come up with solutions as habits or reflexive behaviors and minimize the burden of their decision-making, uncertainty, and lack of trust.

VI. CONCLUSION

While legal translation has historically faced challenges, the legal background has placed more external pressure on the industry than in other fields. However, the 21st century presents enormous opportunities for legal translators, who are increasingly viewed as skilled cross-cultural communicators. The challenge is to raise awareness of the translator's role in order to achieve an acceptable balance for all actors involved in social processes that require the translation of legal documents. Historically, translation has been viewed as a secondary service, but in the 21st century, this perception has the opportunity to change and legal translators can take a more active role in social processes involving two or more cultures and languages. To achieve this goal, legal translation education must anticipate future challenges and consolidate education as the foundation for building a high-quality, ethical legal translation practice. Legal translation occupies a unique position in international legal dissemination and can serve as a cross-cultural mediator and play an active role in communication between cultures. In order to fulfill this responsibility, it is necessary to face the new challenges of the 21st century and revise outdated translation practices to meet the requirements of legal translation in today's society.

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