
Legal translation — Requirements

Traduction juridique et judiciaire — Exigences

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Published in Switzerland

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Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see www.iso.org/patents).

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see: www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 37, *Language and Terminology*, Subcommittee SC 5, *Translation, interpreting and related technology*.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

Legal translation is a specialization which covers law-related or legal specialist field translation in terms of content as well as context (e.g. legal settings). Given the highly specialist field, potential legal consequences, and formal and liability issues, this specialization requires specific competences and a very professional approach from the specialist translators involved. Due to the formalized, official or sensitive nature of the subject matter in some countries, settings and under certain circumstances, legal translators may be subject to specific professional, confidentiality and ethical requirements, authorization, certification, and security clearance procedures. Furthermore, in some countries, certain types of legal translation are performed by authorized legal translators who have to comply with specific official requirements.

Serious legal issues and other consequences can be avoided if the legal translation service is provided by competent legal translators who have professional understanding of the relevant legal systems, knowledge of legal terminology and target language genre conventions and can produce authentic texts. Legal documents constitute the basis for many personal and business undertakings. Legal translation is a highly specialized type of translation service which is frequently used in official and legal settings and this requires meeting the highest professional quality benchmarks. Taking the above into account as well as the fact that there are no international standards in this area, this document was developed in response to the evident market need.

This document is intended for implementation by individual translators who specialize in the provision of legal translation services.

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Legal translation — Requirements

1 Scope

This document specifies requirements for the competences and qualifications of legal translators, revisers and reviewers, best translation practices and the translation process directly affecting the quality and delivery of legal translation services. In particular, it specifies the core processes, resources, confidentiality, professional development requirements, training and other aspects of the legal translation service provided by individual translators.

Fulfilment of all the requirements set out in this document enables the individual legal translator to demonstrate conformity of their legal translation services to this document and their capability to maintain a level of quality in legal translation services that will meet the client's and other applicable specifications.

The use of output from machine translation, even with post-editing, is outside the scope of this document. Consulting of a machine translation resource by a legal translator, does not constitute use of raw machine translation plus post-editing.

This document does not apply to interpreting services.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <https://www.iso.org/obp>
- IEC Electropedia: available at <http://www.electropedia.org/>

3.1 Concepts related to legal translation and legal translation services

3.1.1

translate

render *source language content* (3.3.2) into *target language content* (3.3.3) in written form

[SOURCE: ISO 17100:2015, 2.1.1]

3.1.2

translation

set of processes to render *source language content* (3.3.2) into *target language content* (3.3.3) in written form

Note 1 to entry: A translation may refer to formats other than text-based formats, e.g. an audio file, image, etc.

[SOURCE: ISO 17100:2015, 2.1.2]

3.1.3

legal translation

law or legal specialized *translation* (3.1.4) by a *legal translator* (3.4.5)

3.1.4

specialized translation

translation (3.1.2) within a field of specialization by a *specialist translator* (3.4.4)

Note 1 to entry: Specialized translation is often also referred to as specialist translation.

3.2 Concepts related to translation workflow, technology and project management

3.2.1

computer-aided translation

CAT

translation (3.1.2) in which software applications are used to support the task of *human translation* (3.2.3)

[SOURCE: ISO 17100:2015, 2.2.1, modified – ‘part of’ removed from beginning of definition and Note 1 to entry removed.]

3.2.2

machine translation

MT

automated *translation* (3.1.2) of *content* (3.3.1) from one natural language to another using a computer system

[SOURCE: ISO 17100:2015, 2.2.2, modified – ‘text and speech’ replaced by ‘content’.]

3.2.3

human translation

translation (3.1.2) performed by a *translator* (3.4.3)

[SOURCE: ISO 20539:2019, 3.5.1.1]

3.2.4

check

examination of *target language content* (3.3.3) against the *source language content* (3.3.2) carried out by the *translator* (3.4.3)

[SOURCE: ISO 17100:2015, 2.2.5, modified – ‘against the *source language content*’ added.]

3.2.5

revision

bilingual examination of the entire *target language content* (3.3.3) against the *source language content* (3.3.2), in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviser* (3.4.8)

[SOURCE: ISO 17100:2015, 2.2.6, modified – ‘entire’ added before target language content and ‘for its suitability for the agreed purpose’ replaced by ‘in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviser*’.]

3.2.6

review

monolingual examination of the entire *target language content* (3.3.3), in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviewer* (3.4.9)

[SOURCE: ISO 17100:2015, 2.2.7, modified – ‘entire’ added before target language content and ‘for its suitability for the agreed purpose’ replaced by ‘in order to ensure its factual and linguistic accuracy, and suitability for the agreed purpose, carried out by the *reviewer*’.]

3.2.7

proofread

examine the final *target language content* (3.3.3) and apply corrections before publication

[SOURCE: ISO 20539:2019, 3.3.12]

3.2.8**project management**

coordinating, managing and monitoring a project throughout its complete lifecycle

[SOURCE: ISO 17100:2015, 2.2.9]

3.2.9**style guide**

set of editing and formatting instructions

[SOURCE: ISO 17100:2015, 2.2.10]

3.2.10**specification**

client's (3.4.2) or other stakeholder's instructions or best practice guides to what is required

Note 1 to entry: Specifications for translators are often also referred to as translation briefs.

3.2.11**record**

document (3.5.3) or report stating results achieved or providing evidence of activities performed

[SOURCE: ISO 17100:2015, 2.5.3]

3.2.12**post-editing**

editing and correcting *machine translation* (3.2.2) output

[SOURCE: ISO 20539:2019, 3.5.1.13]

3.2.13**translation management system****TMS**

software for managing a *translation* (3.1.2) project

3.3 Concepts related to language and content**3.3.1****content**

anything representing meaningful information or knowledge

[SOURCE: ISO 17100:2015, 2.3.1]

3.3.2**source language content**

language content (3.3.1) to be *translated* (3.1.1)

[SOURCE: ISO 17100:2015, 2.3.2]

3.3.3**target language content**

language content (3.3.1) *translated* (3.1.1) from *source language content* (3.3.2)

[SOURCE: ISO 17100:2015, 2.3.3]

3.3.4**text**

content (3.3.1) in written form

[SOURCE: ISO 17100:2015, 2.3.4]

3.3.5

source language

language of the *source language content* ([3.3.2](#))

[SOURCE: ISO 17100:2015, 2.3.5]

3.3.6

target language

language into which *source language content* ([3.3.2](#)) is *translated* ([3.1.1](#))

[SOURCE: ISO 17100:2015, 2.3.6]

3.3.7

language register

language variety used for a particular purpose or in an event of language use, depending on the type of situation, especially its degree of formality

[SOURCE: ISO/TR 20694:2018, 3.3]

3.3.8

locale

set of characteristics, information or conventions specific to the linguistic, cultural, technical and geographical conventions of a target audience

[SOURCE: ISO 17100:2015, 2.3.11]

3.3.9

genre conventions

subset of *specifications* ([3.2.10](#)) for the *target language content* ([3.3.3](#)) related to the content type and *specialization* ([3.3.11](#))

Note 1 to entry: For example, in the case of legislation there are formal genre conventions that are used by legislators.

Note 2 to entry: Genre conventions used to be sometimes referred to as “text-type conventions”.

3.3.10

domain

area of knowledge or activity having its own culture, social context and linguistic characteristics

[SOURCE: ISO 17100:2015, modified – ‘subject field, sphere of knowledge or activity having its own specialized culture for its suitability for the agreed purpose’ replaced by ‘area of knowledge or activity having its own culture, social context and linguistic characteristics’.]

3.3.11

specialization

process of becoming an expert in a *specialist field* ([3.3.12](#)) or area of knowledge having its own unique linguistic characteristics, including *language register* ([3.3.7](#)) and specialist terminology

3.3.12

specialist field

subject field

specific area of knowledge having its own unique linguistic characteristics, including *language register* ([3.3.7](#)), style, specialist terminology and *genre conventions* ([3.3.9](#))

3.4 Concepts related to people involved in translation services

3.4.1

translation service provider

TSP

language service provider that provides professional translation services

Note 1 to entry: TSPs can be translation companies, individual translators or in-house translation departments.

[SOURCE: ISO 17100:2015, 2.4.2, modified – Note 2 to entry removed.]

3.4.2

client

customer

<translation services> person or organization that commissions a translation service from a TSP (3.4.1) by formal agreement

Note 1 to entry: The client can be the person or organization requesting or purchasing the translation service and can be external or internal to the TSP's organization.

[SOURCE: ISO 17100:2015, 2.4.3]

3.4.3

translator

person who *translates* (3.1.1)

[SOURCE: ISO 17100:2015, 2.4.4]

3.4.4

specialist translator

translator (3.4.3) who has the required competences and qualifications to *translate* (3.1.1) *specialist field* (3.3.12) *content* (3.3.1)

3.4.5

legal translator

translator (3.4.3) who has the required competences and qualifications to *translate* (3.1.1) *legal specialist field* (3.3.12) *content* (3.3.1)

3.4.6

authorized legal translator

legal translator (3.4.5) who is officially authorized by a court or a government body

Note 1 to entry: Court or government body authorization is generally given on the basis of relevant national legislation, to translate specific documents used in judicial settings, by public authorities or as part of legal proceedings and to take part in legal proceedings in the capacity of an authorized legal translator.

Note 2 to entry: Depending on the national legislation or convention, an authorized legal translator may in some countries or regions also be referred to as a court-appointed translator, sworn translator, court authorized legal translator or a certified legal translator.

3.4.7

lawyer linguist

person with legal background and linguistic competence who provides legislative linguistic advice

Note 1 to entry: The lawyer linguist can also provide advice within the context of bilingual or multilingual co-drafted legislation, and comparison services to ensure equivalency and consistency between different language versions of legislation.

Note 2 to entry: Depending on the custom or convention a lawyer linguist can in some countries or regions also be referred to as jurilinguist.

Note 3 to entry: A lawyer linguist can, from time to time, also translate, revise or review legal texts, provide advice on legal terminology, legal analysis, etc.

3.4.8

reviser

person who *revises* (3.2.5) *target language content* (3.3.3) against *source language content* (3.3.2)

[SOURCE: ISO 17100:2015, 2.4.5]

3.4.9

reviewer

person who *reviews* (3.2.6) *target language content* (3.3.3)

[SOURCE: ISO 17100:2015, 2.4.6]

3.4.10

proofreader

person who *proofreads* (3.2.7) *target language content* (3.3.3) in order to make final corrections before publication

[SOURCE: ISO 17100:2015, 3.3.13, modified – ‘*target language content* (3.3.3) in order to make final corrections before publication’ added.]

3.4.11

project manager

PM

person who manages specified aspects of a translation project and is responsible for the process

[SOURCE: ISO 17100:2015, 2.4.8]

3.4.12

competence

ability to apply knowledge, experience and skills to achieve intended results

[SOURCE: ISO 17100:2015, 2.4.9]

3.4.13

recognized organization

organization that has been accredited by a national authority and found to be competent to assess required tests and certify test results

3.5 Concepts related to translation process, resources and professional requirements

3.5.1

verification

confirmation by the *project manager* (3.4.11) that *specifications* (3.2.10) have been fulfilled

[SOURCE: ISO 17100:2015, 2.5.1]

3.5.2

translation certification

procedure used by an *authorized legal translator* (3.4.6) to confirm that the translated *document* (3.5.3) meets the official requirements

3.5.3

document

information and the medium on which it is contained

Note 1 to entry: The medium can be paper, magnetic, electronic or optical computer disc, photograph or master sample, or combination thereof.

Note 2 to entry: A set of documents, for example specifications and records, is frequently called “documentation”.

Note 3 to entry: Some requirements (e.g. the requirement to be readable) relate to all types of documents. However, there can be different requirements for specifications (e.g. the requirement to be revision controlled) and for records (e.g. the requirement to be retrievable).

[SOURCE: ISO 9000:2015, 3.8.5]

3.5.4

non-disclosure agreement

NDA

confidentiality agreement

contract through which the parties agree not to disclose information covered by the contract

Note 1 to entry: The NDA generally outlines confidential material, knowledge, or information that the parties wish to share with one another for certain purposes but wish to restrict access to by third parties.

3.5.5

service level agreement

SLA

contract between a service provider and a *client* (3.4.2) that details the nature, quality, and scope of the service to be provided with reference to relevant *specifications* (3.2.10)

Note 1 to entry: The SLA is generally expressed in the form of deliverables and metrics, and in measurable terms.

3.5.6

continuing professional development

CPD

activities undertaken by a person to maintain, improve or increase their knowledge and skills related to their professional activities

Note 1 to entry: Continuing professional development can include such activities as attending workshops, training courses, conferences, specialist courses, submitting publications and presenting at professional events.

Note 2 to entry: Depending on the custom or convention continuing professional development can in some countries or regions also be referred to as continuous professional development.

3.5.7

continuing education point

CEP

quantified credit used in *continuing professional development* (3.5.6)

Note 1 to entry: CEPs can be achieved through active participation in courses or other educational and professional activities offered by recognized professional or educational organizations.

3.5.8

validate

act of independently checking and confirming accuracy, relevance or legality of a *document* (3.5.3) or process

4 General

Legal translation is a specialization which covers law-related or legal specialist field translation in terms of content as well as context (e.g. legal settings). Given the highly specialist field, potential legal consequences of mistranslation, and formal and liability issues, legal translation requires specific competences and qualifications and a very professional approach from the specialist translators involved in providing the legal translation service. Due to the formalized, official or sensitive nature of the subject matter in certain countries, settings and under certain circumstances, legal translators can be subject to specific professional, confidentiality and ethical requirements, authorization, certification, and security clearance procedures. Furthermore, in some countries and settings certain types of legal translation are performed by officially authorized legal translators who have to comply with specific official requirements.

For the purpose of this document, the distinction should be noted between legal translation in general and authorized legal translation in particular:

- a) legal translation refers to any law-related or legal specialist field translation. This typically covers translation of agreements, contracts, acts of law, powers of attorney, notarial deeds, court decisions, financial statements, registration documents or any other legal documents which do not require translation certification by an authorized legal translator but should be translated by a legal translator who specialises in translating this type of content and context, and provides translation services within this specialist field;
- b) authorized legal translation refers to specialized translation performed by officially authorized legal translators (who in some countries or regions are also referred to as court appointed translators, sworn translators, court authorized legal translators or certified legal translators) and the certified translation output they provide has the status of officially recognized documents. This typically covers translation of personal documents, certificates, documents used in court and administrative proceedings and any other personal or corporate documents that require certification and signing off by an officially authorized legal translator using personal signature, electronic signature, official seal or other officially recognized methods.

It should be noted that the quality of legal translation is highly dependent on the competences, qualifications and experience of the individual legal translator who has to rely on many resources and reference documents. In some situations, machine translation might be used by a human translator as one of the resources available, within a CAT tool or a TMS for example, and the translator may choose to use or ignore such resources (on term or segment basis) and make informed decisions as to using such material or rejecting it. Consulting of an MT resource by a legal translator does not constitute use of raw machine translation plus post-editing.

5 Competences and qualifications

5.1 Required competences of legal translators

Legal translators shall have the following competences.

- a) Translation competence: the ability to translate specialist legal content, including the ability to address the problems of specialist language content comprehension and production, and the ability to render the target language content in accordance with the project specifications, using the correct language register, specialist terminology and taking into account other aspects of legal translation specialization.
- b) Linguistic and textual competence in the source language and the target language: the ability to fully understand the source language, fluency in the target language, and knowledge of specialist genre conventions, language registers, legal collocations and terminology in both the source and target language. The linguistic and textual competence includes the ability to apply this knowledge and specialist legal terminology when producing legal translation.
- c) Specialist legal field competence: the ability to understand specialist legal content produced in the source language and to reproduce it in the target language, using the appropriate up-to-date specialist legal language register, genre conventions, terminology and style. If required and authorized to do so, a legal translator should have the knowledge of proper procedure for certifying a translation.
- d) Competence in research, information acquisition and processing: the ability to efficiently acquire additional specialist legal knowledge or source documents and terminology necessary to understand and process specialist source language content, to produce the legal specialist target language content, and to critically assess the credibility and reliability of all the resources. Research competence also requires experience in the use of research tools and search engines, the ability to develop suitable specialist termbases and strategies for the efficient use of the information sources available, evaluation of their relevance and credibility in a given context, and source. If required,

to be capable of providing information about the requirements for legalization or authorization of translated legal documents.

- e) Legal culture competence: ability to make use of information on behavioural standards, value systems, understanding of legal procedures and systems, language registers and locale that characterize both source and target language legal cultures and are relevant to the specializations and settings that the legal translator is dealing with as well as ability to understand the distinction and cultural and factual implications behind different legal systems and approaches (intersystemic, intrasystemic or acultural).
- f) Technical competence: abilities and skills required to perform the technical tasks in the specialist translation process by accessing and employing technical resources, and using tools, templates, electronic signature systems, data safety and security systems, document and terminology data bases and IT systems that support the legal translation process.

5.2 Required qualifications of legal translators

A legal translator shall meet at least one of the following criteria [a) to e)] in relation to the relevant language pair and have documented evidence to support this:

- a) has obtained a recognized degree in translation, language studies or an equivalent degree that includes a significant translation training component from an institution of higher education and a post-graduate degree in law or another specialist legal field from an institution of higher education and has the equivalent of at least three years' full-time professional experience in translating within the legal field;
- b) has obtained a recognized degree in law or another specialist legal field from an institution of higher education and has the equivalent of at least three years' full-time professional experience in translating documents within the legal field;
- c) has obtained a recognized degree in translation or any field from an institution of higher education and has the equivalent of at least five years' full-time professional experience in translating in the legal field;
- d) has obtained a recognized degree in any field from an institution of higher education and a recognized professional qualification as a certified legal translator from an officially recognized professional organization and has the equivalent of at least three years' full-time professional experience in translating in the legal field;
- e) has obtained an officially recognized qualification as an authorized legal translator on the basis of relevant national requirements and regulations.

5.3 Required competences of revisers of legal translation

Revisers shall have the following competences.

- a) Translation or revision competence: the ability to translate or revise bilingual legal content, including the ability to address the problems of language content comprehension and language content production, and the ability to render the target language content in accordance with the project specifications, using the correct language register, specialist terminology and taking into account other aspects of legal translation specialization.
- b) Linguistic and textual competence in the source language and the target language: the ability to fully understand the source language, fluency in the target language, and knowledge of specialist genre conventions, language registers, legal collocations and terminology in both the source and target language. The linguistic and textual competence includes cultural competence, the ability to apply this knowledge and specialist terminology when revising legal translation.
- c) Specialist legal field competence: the ability to understand specialist legal content produced in the source language and to revise it in the target language, using the appropriate up-to-date specialist

legal language register, genre conventions, terminology and style. If required and authorized to do so, the reviser should have the knowledge of proper procedure for certifying a translation.

- d) Competence in research, information acquisition and processing: the ability to efficiently acquire the additional specialized legal knowledge necessary to understand the source language legal content and to revise the target language content, and to critically assess the credibility and reliability of these resources. Research competence also requires experience in the use of research and terminology tools, and the ability to develop strategies for the efficient use of the information and specialist terminology available within the given time constraints.
- e) Legal culture competence: ability to make use of information on behavioural standards, value systems, understanding of legal procedures and systems, language registers and locale that characterize both source and target language legal cultures and are relevant to the specializations and settings that the reviser is dealing with as well as ability to understand the distinction and cultural and factual implications behind different legal systems and approaches (inter-systemic, intra-systemic or acultural).
- f) Technical competence: abilities and skills required to perform the technical tasks in the specialist translation and revision process by accessing and employing technical resources, and using the tools, templates, electronic signature systems, data safety and security systems, document and terminology data bases and IT systems that support the translation and revision process.

5.4 Required qualifications of revisers of legal translation

The reviser shall meet at least one of the translator qualifications defined in [5.2](#).

5.5 Required competences and qualifications of reviewers of legal translation

Given the fact that review is a recommended but not a required step of the specialist translation process, if the legal translator, the TSP or client wish to commission the services of a legal reviewer they should ensure that this reviewer is an expert in the legal field, with a relevant degree qualification in law from an institution of higher education or another degree qualification and has the equivalent of at least five years' documented experience as a reviewer of legal texts or has the equivalent of at least three years' documented experience working as a lawyer linguist. (See [Annex A](#) and [Annex B](#).)

6 Translation process

6.1 Responsibility of the legal translator

The legal translator shall be responsible for the timely delivery of complete, quality legal translation that meets the requirements of this document.

Where the legal translator is working directly with the end client, they shall be fully responsible for the whole process, which includes fulfilling all the specifications and ensuring that revision takes place in accordance with [6.5](#), project management or any other relevant translation service tasks required. The relevant tasks include the following:

- a) identifying specialist terminology in the legal field and other relevant fields;
- b) doing specialist field related research work;
- c) dealing with contacts and the client, including agreements;
- d) managing all client and project-related terminology and other resources;
- e) carrying out pre-production, production and post-production tasks;
- f) checking and final verification of all project details agreed before its final and timely delivery to the client;

- g) providing project management;
- h) providing technical support;
- i) engaging the services of revisers to revise the translation and ensuring that revision is carried out (unless agreed otherwise with the client);
- j) requesting specifications and style guides if required, and any related resources assigned to them;
- k) requesting that all project-related queries are answered, and all the members of the project team are provided with all the relevant project information in a timely manner;
- l) engaging the services (if required) of reviewers to review the translation or proofreaders to proofread the reviewed translation prior to publication.

6.2 Co-operation with other parties

In case a legal translator works for a TSP as a subcontractor, the legal translator should agree with the TSP to follow the process indicated in [6.1](#) if the service is to be performed according to the best practice outlined in the document.

6.3 Legal translation service related issues

6.3.1 Agreement and service specification

Before accepting a legal translation service, the legal translator shall evaluate the project in terms of feasibility and confirm that they have the required competence and resources to deliver the requested service within the available time frame and according to specification. The legal translator shall then provide a quotation or accept the terms offered by the client in writing.

The legal translator shall ask the client to provide a project specification (translation brief) which includes at least the name of the project, its scope, indication of the function (purpose) of the translated document and its target audience, details of what service is requested, formats, tools and technical details, as well as locales, delivery details, etc. If a project specification is not available, the legal translator shall send the client a summary of the service specification with a description of the service that is being requested, delivery dates and details, rates, terms of service, and any other project-specific issues as well as queries.

The legal translator and the client should agree on the general terms and conditions of co-operation in the form of a service level agreement (SLA) in written form. This shall be done by issuing and obtaining acceptance for a quote or purchase order that includes a unique identifier for the translation project and agreeing all the relevant terms of service in writing or signing a formal agreement that outlines specific terms of service and general provisions.

6.3.2 Project preparation

Unless agreed otherwise, the legal translator shall prepare the file for translation. Apart from the specification, the legal translator shall request from the client any information, specialist terminology, translation memories or other resources which they feel are required in order to perform a quality translation service and raise any potential issues as queries at this stage.

6.3.3 Translation

The legal translator shall translate in accordance with the accepted professional best practice for legal translation outlined in this document, taking into account the function (purpose) of the translated document, including the genre conventions and specialist terminology of the target language, and the relevant legal translation project specification (translation brief) in particular. Throughout the project,

the legal translator shall provide a translation service in conformance with the following contractual, linguistic and formal requirements:

- a) the service agreement, project specification (translation brief) and other relevant information provided by the client;
- b) specific genre conventions used within the legal field, locale and language register;
- c) semantic accuracy of the target language content, taking into account possible differences between source language and target language concepts (which may call for a translator's note);
- d) appropriate syntax, spelling, punctuation, diacritical marks and other orthographical conventions of the target language;
- e) client terminology, related templates and/or any other reference material provided to ensure terminological consistency, lexical cohesion and correct phraseology;
- f) any proprietary and/or client style guide (including domain, language register, and language variants);
- g) any applicable standards;
- h) any applicable formatting requirements;
- i) indicated function, purpose and target audience for the target language content;
- j) the appropriate NDA and SLA, if applicable;
- k) the relevant authorization/certification schemes and security clearance, if required.

NOTE This can be covered by regulations.

The legal translator shall ask questions if in doubt and raise any issues as a query with the project manager or the client directly early on in the project so that any potential issues can be resolved within the delivery deadline. The legal translator should exercise all due diligence to obtain access to all the relevant information and documents.

6.4 Check

The legal translator shall perform an overall check of the target content against the source content for possible semantic, legal, grammatical and spelling errors, omissions and any other errors, as well as ensure conformance with any translation project specifications and eliminate any inconsistencies and issues related to incorrect usage of specialist terminology or formatting.

6.5 Revision and review

The translated target language content shall then be fully revised by a reviser. Unless agreed otherwise with the client in writing, the legal translator shall be responsible for ensuring that the translation is revised by a competent and qualified reviser.

The reviser, who is a person other than the translator, shall have the specialist competences listed in [5.3](#) in the source and target languages. The reviser shall examine the target language content against the source language content for any errors and other issues, and the suitability of the translation for the declared purpose. This shall involve comparison of the entire source and target language content taking into account all the relevant linguistic and specialist field requirements and implementing corrections in strict co-operation with the legal translator (unless agreed otherwise).

Depending on the specification, the reviser shall either make corrections, for instance using the track-changes functionality or add comments and notes to the target language content so that the legal translator can review them afterwards. The legal translator is then required to check the revised

translation and make the final decision as to implementing the reviser's comments or corrections prior to delivery.

Depending on project specification or client requirements, the translated target content can additionally be reviewed by a reviewer who is an expert in the legal field and has the documented competencies and qualifications listed in 5.5. If the translation is additionally reviewed, then the legal translator should request feedback from the reviewer prior to publication or dissemination of the final version of the content.

Review should be a requirement if the legal translation is to be published as legislation or similar official document published in a legal gazette or code. If the document is intended for publication, as the final step of the process, proofreading should also be done by a proofreader after type-setting.

6.6 Verification and correction

After the translation has been revised and reviewed, if applicable, the translator shall read the translated target content again and make any final corrections and checks necessary prior to delivery. If the legal translator is responsible for final delivery of the translation project, they shall also perform final verification prior to delivery to ensure that the project is complete, and the service is performed according to all relevant specifications.

If a legal translator is working as a subcontractor, any errors or other issues affecting the target content quality should be corrected by the TSP in collaboration with the translator or, if circumstances do not allow this, any revisions or corrections should be communicated to the legal translator promptly so that they can react in time to ensure that the final translation conforms to specification and other requirements. The revision and correction process should be repeated until the translator, reviser and the client are satisfied.

6.7 Signing off and record keeping

In order to ensure full transparency and traceability when the translation is completed, even if there is no formal authorization requirement, the legal translator should sign off the translation as part of the deliverable in a manner agreed previously with the client or required by any other relevant agreements. This may, depending on the specific requirements or convention, include: electronic signature, signing or coding the document, file or TM segments, etc. If required to do so by the client, circumstances or appropriate agreements, the legal translator should provide a short written statement of the translator's and the reviser's qualifications, compliance of the translation with the relevant legal requirement and the source text.

NOTE Signing off and record keeping of legal translations can also be covered by regulations.

The legal translator shall keep a record of all the translation project details, all the file versions and individuals involved in the translation project so that all these individuals are identifiable, and all project details are traceable. This record and any relevant qualifications of persons responsible for any tasks can be periodically audited on demand if required by the authorized client representatives, auditors and/or the appropriate authorities.

6.8 Authorized certification

If required and authorized to do so, the authorized legal translator shall provide a translation certified with their signature and stamp/official seal or electronic signature.

Such certification usually includes a statement by the legal translator that the target text is a true and faithful translation from the source text in a given language, which is witnessed and confirmed with the authorized translator's signature. Depending on the legal system in place, the translator's signature may require additional authentication by a notary or a representative of an official institution and bear an official seal or stamp to this effect; the document may also require additional form of authentication (apostille or legalization) and the authorized legal translator should be aware of such requirements.

See [Annex A](#).

6.9 Feedback and final steps

Legal translators and revisers shall provide feedback to each other on regular basis, keep a record of all projects and file versions for at least a period of five years and be prepared to address any complaints that may be made after delivery or at a later date. Additionally, the legal translator should seek confirmation of service delivery, expect to receive regular feedback from the client or TSP, and professionally deal with any issues which arise from this feedback.

6.10 Complaints, individual responsibility and corrective action

In case of any justified complaints or issues detected in connection with translation quality or inconsistency with the project specification, the translation should be sent back to the legal translator with details of the issues identified and proposed changes (if applicable). The legal translator shall take corrective action promptly where it is required, eliminate the errors and sign off on the new version of the document (if applicable) or justify in writing their refusal to introduce the requested changes. If further revision/review changes are made after the translator has signed off on the translated document/file/segments by any other parties, the resulting translation is no longer considered to be certified and the sole responsibility of the legal translator. A record of all the steps in the process, document versions, complaints, correspondence and issues that required resolution, and details of all the individuals working on the translation project shall be maintained by the translator for a period of at least five years.

7 Confidentiality, security and professional liability insurance

7.1 Confidentiality and security

Legal translators often work with highly confidential, specialist and sensitive documents and even if they are not required to sign a non-disclosure agreement (NDA), they shall keep all their documents, files and information confidential and maintain professional secrecy at all times. Legal translators are also obliged to keep any documents and data entrusted to them secure and safe from access by any third parties or accidental damage and conform to all the general data protection requirements. This includes using secure methods for storing, archiving and transmitting documents and data, never using any public systems such as non-private MT systems or unsecured cloud-based solutions. Legal translators shall not process data or information using public or unsecured systems, or share any data or information with unauthorized individuals or entities without the clients' written consent or an appropriate court order.

7.2 Professional liability insurance

Legal translators provide highly specialist translation services which may generate more risk than other translation services for their clients and themselves. Therefore, legal translators should carry adequate professional liability insurance and inform their clients about this fact or failure to carry such insurance in writing before performing a service.

8 Professional development and involvement

8.1 Continuing professional development (CPD)

Legal translators should devote at least 5 % of their time to updating their knowledge and invest in continuing professional development and specialization studies as well as appropriate professional tools and resources. Continuing professional development can be pursued through involvement in continuing education activities such as doing post-graduate courses, attending translation workshops and specialist translation training courses, conferences, specialist legal and legal translation courses, contributing publications to relevant industry journals and presenting at professional events.

Professional development can also be pursued by taking an active role in professional associations, lecturing, writing articles and contributing to the education and training of colleagues (knowledge-sharing) (see [Annex C](#)).

8.2 Documented proof of continuing professional development

A legal translator should attend a professional specialist translation training event at least once a year or obtain other relevant qualification within that period and keep documented proof of this. This professional development process can be best documented and validated through a system of quantified credits used in CPD referred to as continuing education points (CEPs) awarded for individual training and professional development activities. These trainings and professional development activities should be provided by recognized professional translation industry organizations, institutions of higher education, official or court authorities, etc.

Legal translators should also show an interest in current industry-related research and development, standards, legal publications, knowledge-sharing and maintaining contacts with professional organizations, academia and peer groups beyond what is needed to deal with ongoing projects. This can be best demonstrated through active membership in professional organizations and participation in educational projects and specialist training. A record of any qualifications, CEPs or certificates awarded shall be kept by the legal translator.

See [Annex C](#).

Annex A (informative)

Information on authorized legal translation used in judicial settings, and for the use of public authorities and commercial purposes

Many countries have legislation in place that regulates the authorized translation of specific documents used in judicial settings and for the use of public authorities by authorized legal translators. This legislation usually also regulates the competences and qualifications of the legal translators who are authorized/certified to provide such legal translation services. This requires a specific authorization/certification procedure for the translated document which may consist of affixing the authorized legal translator's stamp or seal and signature as well as a confirmation of the faithfulness and accuracy of the legal translation.

Authorized/court/certified/sworn translator are examples of titles afforded to persons who have been admitted or sworn as authorized legal translators under national regimes to officially translate specific documents used in judicial settings, for the use of public authorities or commercial purposes. A non-exhaustive list of some typical legal documents has been provided below for informative purposes.

Documents used in criminal proceedings:

- letters of the rights and duties of witnesses, suspects, defendants/accused;
- cautions;
- lawyers' pleas, applications, motions, etc.;
- different types of court orders/decisions on, for example, searches, preventive measures;
- charge sheets, bills of indictment, judgments/sentences, notices of appeal, pleadings;
- documents in connection with mutual legal assistance (requests for mutual legal assistance, including different types of attachments such as court orders/decisions, documents issued by service providers, court-appointed expert opinions, etc.);
- European arrest warrants, including all attachments;
- documents relating to extradition procedures, including excerpts from national laws;
- information required in criminal proceedings recorded on different types of carriers such as, for example, text messages, e-mail correspondence or recorded/transcribed conversations.

Documents used in civil and/or administrative procedures or used for commercial purposes:

- petitions, claims;
- court decisions, orders, judgments;
- expert opinions issued by, for example, legal, forensic or technical specialists;
- lawyers' pleas, applications, motions, etc.;
- notarial deeds, including attachments;
- last wills and testaments;
- birth, marriage and death certificates, etc.;

- documents for asylum proceedings;
- financial statements and other accounting documents;
- contracts or agreements and commercial documents that need to be certified by an authorized translator.

Some of the aforementioned documents are short and repetitive in their content, they have to be translated at short notice and are subject to strictest confidentiality. As authorized legal translators working in official capacity are usually sworn in before beginning to work as authorized/certified legal translators by the relevant authorities, they are also legally accountable for their certified legal translation services and may be held liable for any error or legal damages.

Legislation governing authorized legal translation used in judicial settings, for the use of public authorities or for commercial purposes, varies from country to country on account of the differences in national legal systems and approaches. Therefore, the contents of this informative annex should not be treated as an exhaustive or authoritative description of how authorized legal translation is dealt with in judicial settings and by public authorities internationally.

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Annex B (informative)

Information on legal translation in government institutions and non-governmental organizations

The following are the three main contexts for legal translation within government institutions and non-governmental organizations.

a) Translation related to diplomacy and the business of governing

All governments use the services of legal translators to help draft policy and diplomatic documents and communicate with other governments and the public.

b) Translation of legislation, other legal documents and material for information purposes

Many countries have sizable minorities who speak a language other than the official language. Legal translators and lawyer linguists are responsible for dealing with linguistic needs related to the legislative process and other documents which might be informative but contain some legal content. In many cases, documents might be translated for information purposes with a clear stipulation that in case of a dispute the official language version of the document will prevail. If *treaties* (agreements under international law entered into by sovereign states and international organizations) are signed (in connection with military alliances or trade and customs agreements, for example) they are usually published in two or more official language versions and require close co-operation between negotiators, lawyers and legal translators.

c) Functioning in a regional alliance or union or official multilingual setting

Many countries are part of regional alliances or unions (the EU or ASEAN, for example). Some countries like Canada, South Africa and Belgium have more than one official language. Legislation, official agreements and similar documents are published simultaneously in two or more languages and legal translators and lawyer linguists play a key role in this process.

In the situation where there are two or more official languages and legislation must be available in more than one language, there may be a need for legal translators who are qualified as lawyers. In the European Union, a linguist in this position is known as a lawyer linguist. In Canada they are known as a jurilinguist and in some other countries these specialists are simply referred to as legal translators or lawyers with linguistic qualifications.

Lawyer linguists are responsible for working closely with legislators and ensuring that legislation and related documentation is available in the required languages. Their responsibilities include the following.

- Translating legislation, draft legislation and similar material that also takes into account the legal perspective of the target language audience. The objective is to ensure that each language version of the document being translated has the same meaning in law.
- Revising and reviewing legislation, draft legislation and similar material from the legal and linguistic perspective.
- Ensuring that legislation, draft legislation and similar material are technically correct and accurate in all language versions.
- Providing linguistic advice to parliaments, legislative committees and other bodies responsible for drafting and processing legislation.
- Providing advice on legal terminology and linguistic perspective.

- Reviewing material which might contain discrepancies between the various language versions, identifying issues and suggesting solutions.

Institutions such as the UN, NATO, WTO, EU and other international organizations also use the services of competent and qualified legal translators for drafting legal documents and international treaties or other official agreements because these documents are generally executed in more than one language version.

In most cases, legal translators would be expected to have the qualifications listed in [5.2](#) while the lawyer linguist would be expected to have the same qualifications as well as a law degree. The latter would also be expected to have experience in translating and revising legislation.

Institutions and governments also need legal translators for work that is not directly related to drafting legislation for multilingual countries or regions. Their responsibilities include the following:

- translation of materials for communications between countries where there is a need for precise, legally correct language and diplomacy is required;
- revision of materials for communications between countries where there is a need for precise, legally correct language and diplomacy is required;
- translation or revision of material that needs to be legally correct and is intended for citizens of the country whose primary language is different from the country's official language;
- translation or revision of material at the request of a government body or institution where there is a need for legal accuracy;
- translation of material related to accessibility issues and informing the public about their rights and legal recourse as humans, citizens, and consumers.

In general, legal translators working for governments and non-government or international organizations would be expected to have at least the minimum qualifications listed in [5.2](#).