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**Spanish Vocabulary For Public Defenders
In 57 *Charlas* And 10 Ideas For Building
And Maintaining Fluency**

**by
Martha Carter-Balske and Stephen Sady**

The intersection between public defender world and Spanish can be tricky. Martha has devoted her professional life to being not only an outstanding legal interpreter and translator but also to implementing systemic changes, including encouraging defender offices to learn to build bridges with clients through language. When several legal assistants began taking Spanish lessons, we decided to provide support with *Palabras Del Día* – Words of the Day – to focus on vocabulary specific to public defense. In doing so, we realized that even fluent Spanish-speakers could benefit from discussion of specialized legal vocabulary, cultural connections, and ethical norms. So here are 57 *charlas* – chats – that cover a range of common issues that public defenders confront in our daily work. We hope that other offices find them useful either as a reference or as periodic messages to office-mates who are interested in *Español*. We rounded out our project with ten ideas at the end for building and maintaining fluency in Spanish that we have found fun and effective. Enjoy!

Número Uno

Martha and I were saying how *chévere* it was that defenders are picking up Spanish! In solidarity with your efforts, we thought we should provide a little specialized vocabulary of the types of words and phrases that come up in our work. For example, how do you say “defendant” in Spanish? *Acusado*. So a guy charged with being a *narcotraficante* (drug dealer) would be *el acusado*.....or the accused.

And for trial, the word is *juicio*. One of the challenges Martha has in interpreting is that some phrases like “speedy trial” can be confusing if literally translated. For example, *juicio rápido* seems right but could easily be confused as meaning a fast trial.....like everything during the trial would proceed quickly. So she uses the right to a *juicio sin demora* – or a trial without delay (*sin* = without; *demora* = delay).

And as you might have guessed, *chévere* means cool!

Ya basta – enough already!

Número Dos

A big difference between Spanish and English is that Spanish has masculine and feminine nouns. While mostly nouns are either masculine or feminine, some shift depending on whom you're talking about. For example, a reference to me as the lawyer would be to *el abogado*, while Francesca would be to *la abogada*. And just to keep things complicated, some folks use *licenciado* or *licenciada* for lawyer.

An *abogado* or *abogada* has attended a *facultad de derecho*, which means law school. This introduces a word of several meanings. In *facultad de derecho*, it means "law." Like somebody studying *derecho*. We also use it for rights, like *derechos humanos* means "human rights." One of the rights we talk about often is the right to remain silent – *el derecho a guardar silencio*. *Guardar* is used in the sense of keeping or maintaining silence. So a Miranda card might say "*Usted tiene el derecho a guardar silencio*" for "You have the right to remain silent."

Outside our office we can see *la manifestación* protesting the latest outrage. And we can hope that the people at the demonstration – *manifestación* – do not get arrested and receive advice of *el derecho a guardar silencio*. And since the *manifestantes* are likely left-wing, we'll save *derecho* for "right" as in a right turn or a right hand or right wing as being the opposite of *izquierda* for turning left, left hand, or left wing (never mind the use of *derecho* to mean direct or straight).

Número Tres

One of the tricky areas of Spanish is the difference between *Usted* and *tu*: the former is a formal “you”, the latter is the informal “you” that you would use with family, friends, and others more casually. So if you were trying to figure out a client’s attorney, you might ask: *¿Cómo se llama su abogado?* or what is your attorney’s name (*su* is “your” in the formal way). If we were being informal, the question would be *¿Cómo se llama tu abogado?*

This brings up a couple of issues. First, in Spanish, questions are preceded by an upside down question mark (just as exclamations are preceded by an upside down exclamation point). I wonder where we find these marks in Word and Outlook. Second, it’s a bit tricky figuring out when to use the *tu* form and when to be more formal. My default mode with clients is usually *Usted*, although that can change depending on the client. Other attorneys routinely use the *tu* form to try to relate less formally with the client.

So here’s an expression with no equivalent in English: *Favor de tutearme*. It means please use the *tú* form with me. Or *puedes tutearme*, which means you can use the *tu* forms with me.

¡Hasta mañana!

Número Cuatro

We know that *abogado* means lawyer; how about federal public defender?

We start out with

abogado = attorney

abogado defensor = defense attorney

abogado defensor público = public defense attorney or public defender

abogado defensor público federal = federal public defense attorney or federal public defender

In context, you may not need the *abogado* to be understood as referring to *un defensor público federal*.

A private attorney is *un abogado particular*.

So we ask *el acusado* if he has the resources to obtain a private lawyer by asking:

¿Tiene Usted recursos suficiente para conseguir/contratar un abogado particular?

or

Do you have sufficient resources to obtain a private attorney?

Which brings us to our best friend in Law World: Cognates (words that look the same or similar to words in English and mean the same thing). As we will be seeing, there are tons of legal words that will automatically (*automaticamente*) increase your vocabulary. But today's warning is False Cognates (words in Spanish that look like English but actually mean something different). For example:

- 1) You already know that *manifestación* means demonstration or protest, not a manifestation in the English sense.
- 2) And you know that *particular* in *abogado particular* means private attorney, not a particular attorney in the English sense;
- 3) The one that confused me for a long time was *actual* or *actualmente*, which in Spanish means more like currently or nowadays and does not mean real or really in the English sense (*realmente* is really in Spanish).

And if you were looking for the inverted question mark and inverted exclamation point, check out Alt + 168 and Alt +173. ¡Ciao!

Número Cinco

You want cognates? I'll give you cognates!

What could sound more like testimony than *testimonio*?

So the verb to testify is *testificar* and the witness is *el testigo*.

So you have some rights using these words that Martha includes in plea petitions:

El derecho de utilizar la autoridad del juez y el proceso judicial para exigir la comparecencia de testigos a mi favor;

The right to utilize the authority of the judge and judicial process to demand the appearance of witnesses in my favor.

El derecho de decidir por mí mismo si presto testimonio o no;

The right to decide for myself whether to offer testimony or not.

And let's start collecting accent marks. With Alt + 161 we get *í*. And you know how we can always use this accent – with *Martín*!

Número Seis – Friday

¡Gracias a Dios es viernes!

TGIF!

That's because it's almost *el fin de semana* or the weekend.

Let's do a few cognates using the Alt + 162, which is *ó*. You'll like how many words are similar or the same as in English and they are usually feminine taking *la*. For example,

acción penal is prosecution

confusión is confusion

administración is administration

investigación is investigation

deportación es deportation

detención es detention

inmigración es immigration

And so now it's time to enjoy the beautiful weather that I'm so sure we're going to have that (using Alt + 160 for *á*) it's beyond a reasonable doubt – *¡más allá de una duda razonable!*

Número Siete

¡Bienvenidos a Palabras del Día! We covered a little about some of the specialized words we use in Law World *en español*. One of today's words is *tilde* – the little squiggle over the n in *español* found at Alt + 164. We find the *tilde* over the n quite useful in saying ¡*Hasta mañana!* (see you tomorrow!) and ¡*Ruben Iñiguez!*

But enough about the *tilde*! Martha: we've covered *abogado defensor* and *testigo*; could you tell us about prosecutors and judges (*fiscales* and *jueces*)? *Fiscal* for prosecutor seems like a false cognate because the English use of *fiscal* has to do with money matters. And if *el fiscal* is the masculine form, how do you account for a woman prosecutor or prosecutors? Same with *el juez* – the judge. What's the right way of referring to Judge Brown or when two woman judges are together like Judges Brown and Beckerman?

We also spoke about the defendant as *el acusado*, the infinitive verb “to accuse” as *acusar*, and the cognates ending in *ión*. I've heard you refer to the indictment as *la acusación formal*. When you are talking with clients, do you use both for clarity: *la acusación formal* o the indictment? How about the criminal complaint? And what do you call the affidavit that is attached to the criminal complaint?

Número Ocho

Steve was wondering what a female judge would be in Spanish: *La juez (una), las juezes (dos o más)*. A female prosecutor would be *la fiscal (una), las fiscales (dos o más)*.

I do not have to clarify for clients what an *acusación formal* is because this term is understood in all Spanish-speaking countries. A criminal complaint is a *una querrela*, and an affidavit attached to a criminal complaint is a *declaración escrita bajo juramento* (a written statement, under oath).

Many of the legal terms we interpreters use in the United States have been coined by us, interpreters, because the legal systems in the Spanish-speaking countries are very different than the American legal system.

Steve also talked about cognates, which is a subject that can take hours and hours of discussion. Some of the cognates I think are important to know are:

Court - in Spanish this can be translated as *juzgado* (traffic, misdemeanor court), *tribunal* (federal district court), and *Corte* (Supreme Court).

Assault: *Agresión*, not *asalto*; *Asalto* is robbery as in *Asalto a banco* for bank robbery; *Asalto a mano armada* is armed robbery.

Dates in Spanish are written differently than in English: day/month/year and we add the preposition “*de*” (9 de mayo de 2019). Even though this is the rule in Spanish, I have seen documents from Mexico and Central America using the American order for the date. This can be confusing sometimes if the date is, for example, 9/8/16. It could either be September or August but most of the documents follow the Spanish order.

¡Suficiente por hoy! Enough for today!

Disfruten el sol - Enjoy the sun.

Número Nueve

So I'm thinking about *narcotráfico* and cognates with *ión*. Susan is dealing with *una acusación formal* that charges *posesión con la intención de distribuir* (possession with the intention to distribute) and *distribución* (distribution) in a single count – she's moving to dismiss the indictment as duplicitous or to force the government to elect which charge they want to prosecute.

Two types of *drogas* we see often are *heroína* and *cocaína*, sometimes known by slang terms *chiva* for heroin and *coca* for cocaine.

And for those who enjoy the accents and other symbols in *español*, Matt provided this *vínculo* (link) to a nice list of ALT Codes for Spanish:

<https://usefulshortcuts.com/alt-codes/spanish-alt-codes.php>

¡Ciao!

Número Diez

So here's the federal drug statute:

21 U.S.C. § 841.

Looks pretty tough to say or understand *en español*. Not really. With just a few phrases and learning numbers, you can understand and say almost any *estatuto federal* (federal statute). The starting point is how federal statutes work. There are 54 Titles in the United States Code: Title 8 deals with immigration, Title 18 deals with *delitos* (crimes), and Title 21 deals with drugs. And each Title has sections. So the *estatuto federal en relación con delitos de narcotráfico es*:

Artículo veintiuno del Código Federal, sección ochocientos cuarenta y uno;
Title 21, United States Code, section 841.

Same system for the illegal reentry statute:

Artículo ocho del Código Federal, sección trece veintiséis;
Title 8, United States Code, section 1326 (using thirteen twenty-six)

And *estado* (as in *los Estados Unidos*), *estatuto*, and *Esteban* remind me of all the *escandalosos* (scandalous) cognates that begin with “*es*”!

¡Qué tengan un buen fin de semana!
Have a good weekend!

Número Once

So when we're looking at an *acusación formal* (indictment) or a police report (*informe policial*), one of the phrases we sometimes see is “also known as” or “aka.” The Spanish version of this phrase: *también conocido como*, which makes perfect sense as *también* (also) *conocido* (known from the infinitive *conocer* to know) *como* (as in this context).

Which brings us to the description of the word that sometimes follows *también conocido como*: *apodo*, which means nickname or alias. For example, Jerry has *una acusación formal* in a case of *narcotráfico* in which, after listing the name of the *acusado*, they list *también conocido como Pablito*, which is also the diminutive of the notorious *narcotraficante colombiano* Pablo Escobar. Or ask Conor about the self-defense case in which the aggressor had the helpful *apodo* “Shooter.”

Before we leave the name game, here's a word with no direct equivalent *en inglés* – *tocayo* or *tocaya*. Someone with your same name is your *tocayo*. So two Lisas *son tocayas*. Another Steve is my *tocayo*.

So our former chief investigator Don now has his *tocayo* in the White House!

Número Doce

The word most commonly used by news reporters in Mexico for aka is “*alias*”, as in *Joaquín Guzmán Loera, alias “El Chapo.”*

Another word in Spanish that has no equivalente *en inglés* - *compadre/comadre*. *Compadre* is the relationship of two friends in relation to a godchild. For example, if Mr. Sady is the godfather (*padrino*) of my child, he would be *mi compadre* and I would be *su comadre*. Every *padrino/madrina* (godfather/godmother) has an *ahijado/ahijada* (godson/goddaughter).

El padrino

La madrina

El ahijado

La ahijada

Número Trece

In the United States, the slang term for *compadre* has expanded from godfather to good friend and from there to the even more informal but friendly *compa*.

So now that Martha has raised *el caso del Chapo*, we should let you know he was represented by Federal Public Defenders! Here's a headline from the New York Times *en español*:

El caso contra el Chapo Guzmán: 10.000 documentos, 1,500 grabaciones y decenas de testigos

The case against Chapo Guzmán: 10,000 documents, 1,500 recordings and dozens of witnesses

Sounds like a little bigger than our *caso de narcotráfico normal*. Here's what they said about the attorneys:

El primer tema de la audiencia fue una discusión sobre si los abogados de Guzmán, los defensores federales Michelle Gelernt y Michael Schneider, podían seguir representándolo.

The first subject of the hearing was a discussion about whether (if) the attorneys of Guzmán, the federal defenders Michelle Gelernt and Michael Schneider could continue representing him.

Here's what the prosecutors said about the trial:

Los fiscales dijeron que el juicio de Guzmán podría durar tres meses e incluir hasta 1500 grabaciones de audio del acusado y de sus cómplices, así como unas 10.000 páginas de documentos.

The prosecutors said that the trial of Guzmán would be able to (could) last three months and include up to 1,500 audio recordings of the defendant and his accomplices, as well as some 10,000 pages of documents.

¡Ay caray! So much of the *vocabulario* we've already learned! So Martha – What's with . instead of , in numbers like 10.000. And why is “and” usually “y” but sometimes “e”?

Número Catorce

With respect to writing numbers/amounts, in most Spanish-speaking countries they use a period before decimals and a comma after the decimals \$10.354,65, but in Mexico, we follow what the United States does: \$10,354.65. Either way, it's not hard to figure out.

The conjunction *y* (and) in Spanish turns into an *e* when the word after the conjunction starts with an *i* to avoid what we called in Spanish *cacofonía*, as in Mr. Sady's example *tres meses e incluir* (instead of *y incluir*).

The same change occurs when the conjunction *o* (or) is followed by a word starting with the vowel *o*, it changes to a *u*. Example *uno u otro* (one or another one).

Número Quince

Querida Marta:

So I'm thinking about letters (*cartas*) and manners. Isn't it strange that I would address both a loved one and someone with whom I only have a vague and distant relation as "Dear" in English? Seems rather intimate for addressing *un fiscal o un juez*. I like that *en español hay dos maneras* to begin a letter, informal and formal: *Querido Fulano o Estimado Sr. Fulano* (Dear or Esteemed as the past participle of the infinitive verbs *querer* – to love or want – and *estimar* – to appraise or value, like esteem).

I also like the manners requirement of not getting straight to business. I was taught a first sentence was required to avoid appearing to be *un malcriado* (poorly raised, ill-mannered), like this:

Espero que esta carta le encuentre a Vd. bien.

I hope that this letter finds you well.

If it seems a bit formal, these types of intros can be much more flowery, especially in Spain Spanish. Note that the *Espero que* calls for the subjunctive of *encontrar* (to find or to meet). And how about *Vd.* for *usted*, which is an abbreviation for *Vuestra Merced* (literally your mercy but more like Your Excellency)?

And *fulano* is a word used for whatisname or John Doe or some dude. While okay as slang for some guy, you have to be careful using the feminine *fulana* because, due to other possible connotations, it could show *falta de respeto* (lack of respect). And when you have a bunch of who-knows-whos – Tom, Dick, and Harry – *en español* the non-specific persons would be *fulano, zutano y mengano*.

Número Dieciséis

¡Estamos enfrentando otra semana llena de promesas!

We are facing another week full of promise!

With Adam's visit to Portland last week, we've been thinking about investigators and investigation.

El investigador o la investigadora = investigator; *investigar* = to investigate; *la investigación* = the investigation.

Another word that comes close to investigate as in to find out is sometimes also used:

El averiguador o la averiguadora = investigator; *averiguar* = to find out

The cognate as usual is the easiest:

Los investigadores hacen preguntas (The investigators ask questions).

Los investigadores escriben informes (The investigators write reports).

Another word for investigation is *la indagación* or *las indagaciones*. This has a bit of a more formal and prosecutorial feel – like *la indagación* of an investigating detective, grand jury, or Senate committee.

Los rusos no quieren ser testigos en la indagación de Robert Mueller acerca de la elección.

Número Diecisiete

Hablando de investigadores, there are different ways to communicate questioning with roots in power relations. When *la policía* (the police generic) or *el policía* (the policeman) *haga preguntas* (ask questions in the subjunctive), I think of it as *interrogación* or *interrogatorio* from to interrogate (*interrogar*). But our gentle *investigadores* don't have the coercive power of the state behind them. I think of them often as *charlando* (chatting) (*charlar o la charla*) or *platicando* (talking informally) (*platicar o la plática*) to obtain *la información necesaria*.

Which gets me to one of my favorite words *en español*: *chisme*. It is generally translated as gossip, but I think of it being at the same time a bit more meaty and mischievous. Derived from *chisme* is both a noun for the gossiper, *chismoso o chismosa*, and the adjective for gossipy, *chismoso o chimosa*. And the infinitive verb *es chismear*. I used to have a cat named *Chisme* because he traveled fast and caused all sorts of trouble.

Número Dieciocho

Let's talk about Pretrial Services, *también conocido como la Oficina de Servicios Previos al Juicio*. Back in the old days, pretrial was a section of *la Oficina de Libertad Condicional* (the Probation Office), but is now an independent agency. The language of pretrial release and detention is a little tangled because the term "bail" or *fianza* is used in the vernacular, but money bail is seldom required for release.

We have plenty of cognates:

supervisión o supervisar (supervision or to supervise)

detención o detener (detention or to detain)

condiciones (conditions)

libertad conditional antes del juicio (conditional liberty or release before trial)

el programa de tratamiento (the treatment program)

Notice that *el programa*, like *el tema y el idioma y el problema y el sistema* (the subject and the language and the problem and the system), ends in "ma" but is masculine and takes "el." Liz tells me this has to do with words having Greek origins, which shouldn't be surprising for *el drama*.

We have a couple of long shot reviews of *detención mañana.....espero que consigamos* (subjunctive of *conseguir* or to obtain) *órdenes* (orders) *de libertad condicional* (I hope we obtain orders of conditional release).

Número Diecinueve

So here's a great word – *el (or la) guardaespaldas*. “*Guardar*” *quiere decir* (means) to guard, to keep, to maintain, as you'll remember from *el derecho a guardar silencio*. “*Espalda*” *quiere decir* back or plural backs. So someone who is a bodyguard *en inglés es un guardaespaldas en español*. I think guarding backs is a much more colorful description than bodyguard.

So let's conjugate *guardaespaldas* with various *armas de fuego* (firearms):

El guardaespaldas lleva (carries) una escopeta (shotgun).

El guardaespaldas lleva una pistola (pistol).

El guardaespaldas lleva un revólver (handgun)

El guardaespaldas lleva un rifle (rifle).

El guardaespaldas lleva un fusil (rifle).

El guardaespaldas lleva una ametralladora (machine gun).

El guardaespaldas lleva un cuerno de chivo (goat's horn).

¡Momentito! ¿Qué locura es esta? The horn of a goat? You heard that right – the curved magazine of the AK-47 has given it *el apodo de cuerno de chivo*.

Two reasons folks need *un guardaespaldas*: *secuestro* (kidnapping) and *asesinato* (murder).

Secuestradores son kidnappers; the infinitive is *secuestrar*.

The slang terms for hit men include *sicarios y verdugos*. The general term for murderer is *asesino*, so a hit man could also be *un asesino a sueldo* (*sueldo quiere decir* wage or salary often as *sueldos*). In proper language, *verdugo quiere decir* executioner, but I've also seen it in pulp fiction as slang for a hired assassin. The infinitive for to murder is *asesinar*.

When I lived in Colombia, I first heard the word *sicario* as the term for young guys on *motos* (motorcycles) who would do the bidding of the *narcotraficantes* by committing drive-by murders of leftist politicians, judges, and lawyers. Now *Sicario* is the title of a very violent 2015 movie starring Benicio del Toro.

¡Qué tengan un fin de semana largo maravilloso!

Número Veinte

Today's word is *tiroteo* or gunfire. When *las balas* (bullets) fly, that's a *tiroteo*. *Disparar* is the verb to shoot, which is also one of the meanings of *tirar* (which also means to throw or to pull down). So *tirar* appears to be the source for *tiroteo*.

I'm thinking about *tiroteos* because *el sábado* Laurelhurst was *en un estado de sitio* (state of siege), during which everyone was instructed to stay indoors until the shooters were identified. Okay, that was overly dramatic: *Estado de Sitio* was *una película* (movie) about martial law being declared in Uruguay in response to urban terrorism. I'm just glad they did not announce *un toque de queda*, which *quiere decir* curfew. *A veces* (at times), *la orden de libertad condicional antes del juicio incluye un toque de queda*.

Número Veintiuno

Fingerprints

Quisiera contarles una historia acerca de las huellas digitales, también conocidas como huellas dactilares.

I would like to tell you a story about fingerprints.

Hace quince años (fifteen years ago), agents of the FBI arrested (arrestaron) Portland attorney Brandon Mayfield as a material witness to the Madrid train attacks that killed 191 people. The material witness warrant was a mechanism to hold him as terrorism charges were being prepared. La evidencia más importante: unas huellas digitales (o dactilares) from a bag containing detonating devices that the FBI expert claimed en una declaración jurada por escrito was a 100 percent certain match con el Sr. Mayfield. Por dos semanas (For two weeks), nuestra oficina representó (our office represented) al Sr. Mayfield pensando que el gobierno estaba tratando de matar a Brandon (thinking the government was trying to kill Brandon) por medio de la pena de muerte (by means of capital punishment). After a massive and intense effort, while Brandon remained en la cárcel (in jail), las autoridades españolas establecieron (the Spanish authorities established) que las huellas digitales pertenecían a otra persona (that the fingerprints belonged to another person).

Steve Wax tells the story with four-part harmony in his book *Kafka Comes To America*.

Número Veintidós

If a prosecutor *es un fiscal*, and the prosecution or the prosecutor's office *es la fiscalia*, what is William Barr? *El Sr. Barr es el Procurador General de la Nación*. Naturally, office of the Attorney General is *la Procuraduría General*. And we know that *el Procurador General ama* (loves) *los estatutos que tienen mínimos obligatorios* (mandatory minimums). *¡Abajo con las penas mínimas obligatorias!*

Número Veintitrés

Antes del juicio (before the trial), nosotros preparamos pedimentos para retirar los cargos o para excluir pruebas (we prepare motions to dismiss the charges or in order to suppress – or exclude – evidence).

Escribimos estudios legales (briefs) para justificar nuestra postura.
We file briefs to justify our position.

Número Veinticuatro

So here's a few words on language and citizenship. For *nuestros clientes quienes son hispanohablantes* (Spanish-speakers), rather than *anglohablantes* (English speakers), there are a few opening questions we often ask that, coincidentally, are frequently asked by *agentes de la migra* (slang for immigration agents). *¿Dónde nació usted?* is how we ask where you were born (or *naciste* if you are using the informal *tú*) (from *nacer*, to be born). When you are told Mexico, the next question is frequently *¿En qué parte de México?* – What part of Mexico? *¿Tiene permiso de estar aquí legalmente?* Do you have permission to be here legally?

Permiso is an interesting word. I've heard it used as a substitute for documents – *Tengo un permiso para vivir en los Estados Unidos* – or more generally for permission – *¿Esta Vd. presente en los Estados Unidos sin permiso de la Procuraduría General?* – Are you present in the United States without the permission of the office of the Attorney General?

I also like “*con permiso*” as a way of saying “excuse me” but also a polite and non-threatening way of saying what you're doing: *Con su permiso, voy a proporcionar su carta al juez* (With your permission, I am going to provide your letter to the judge).

Número Veinticinco

Ciudadano es la palabra para citizen. Por eso, a male citizen of the United States es un ciudadano estadounidense; a male Mexican citizen es un ciudadano mejicano o mexicano; a female Russian citizen es una ciudadana rusa. An alien es un extranjero o una extranjera. So the typical illegal reentry acusación formal says that el acusado es extranjero y ciudadano de México (the defendant is an alien and citizen of Mexico).

The expressions for having or not having documents are a bit complicated. If a person *es extranjero con documentos* (with documents), the expressions include *tiene papeles* (he has papers), *es residente* (he is a lawful permanent resident), *y tiene mica o tarjeta verde* (he has a green card).

There are some expressions for being *indocumentado* (undocumented) *o sin documentos* (without documents) that can cause offense. I heard an interpreter call a client an illegal, and saw the Catholic Charities lawyer almost fall out of her chair – people aren't *ilegal o ilegales*. One old-fashioned slur is *mojados* or wet-backs. *Mojado* is from the verb to wet. So, using *estar* and the temporary state of being simply means, for example, I got caught in a thunderstorm *y por eso estoy mojado*. If I had said, “*Soy mojado*,” using the *ser* verb for more permanent states of being, I would have failed to communicate that I was drenched; instead, I would have announced in a pejorative way that I'm illegally in the country.

Número Veintiséis

The word in English is “release” but that really tells us nothing of its meaning. So we use *Autorización Para el Libre Acceso a la Información* – Authorization For The Free Access To Information – that actually says what it is. Which gets us to the verb *firmar* – to sign – and the noun – *la firma* – the signature.

Favor de firmar aquí – Please sign here.

Firme Vd. aquí por favor – Sign here please.

¿Firmó Vd. el formulario? – Did you sign the form?

¿Esa es su firma? – Is that your signature?

And here’s *un diálogo*:

Investigador – *¿Conseguiste la firma del cliente de la autorización para el libre acceso a la información?*

Abogado defensor – *¡Ay, caray! Me olvidé de hacerlo.*

Investigador – *No te preocupes.....no voy a echarte al precipicio* (idiomatic phrase) (I’m not going to throw you off the cliff).

Investigator – Did you obtain the signature of the client on the release?

Defense lawyer – Oh wow! I forgot to do it.

Investigator – Don’t worry.... [idiomatic phrase above].

Número Veintisiete

How do we refer to Indian country *en español*? There seem to be a couple of ways, one more anglicized than the other. The cognate is easy: *reservación india* for Indian reservation. The more *mejicano* way of expressing the concept would be *una reserva indígena o la reserva de indios de Warm Springs*. *Especialmente para nuestros clientes* from Central America and southern Mexico, it can be *importante saber a qué tribu (tribe) o grupo étnico (ethnic group) pertenece el cliente* (to which tribe or ethnic group the client belongs) to be sure Spanish is not a second language. Remember all indigenous languages are languages (*idiomas o lenguas*), not dialects (*dialectos*).

Número Veintiocho

Mea culpa, mea culpa, mea maxima culpa.

Wait a second, why are we going to our Catholic phrase in Latin for My fault, my fault, my most grievous fault?

Well, it makes perfect sense when we remember that Spanish is rooted in Latin (as well as a bit of Arabic). And in *el sistema judicial*, it's all about whether or not you're guilty.

The two most beautiful words in the English language (not guilty) translate as: *No culpable*.

I'm guilty: *Soy culpable*.

It's my fault: *Tengo la culpa*.

No tengo la culpa: *It's not my fault*.

No soy culpable: *I am not guilty*.

Declararse culpable: *To declare oneself guilty*

Did you plead guilty? *¿Se declaró culpable?*

Petition to enter a guilty plea: *Solicitar declararse culpable*

Me declaro culpable: I plead (declare myself) guilty.

No tiene la culpa: It's not his fault.

No es culpable: He's not guilty.

Culpabilidad: Guilt

Número Veintinueve

Do you enjoy *tapas*? You know, the Spanish little plates full of delicious and strange things like *pulpo* (octopus) and *chorizo* (spicy sausage). Well, such treats are irrelevant when we are talking about *las etapas del proceso* – which means the stages of the proceedings. So when *un acusado* is receiving *un aviso acerca de los derechos constitucionales*, *va a incluir*:

El derecho de que un abogado le ayude a Vd. durante todas las etapas del proceso.

An advice about constitutional rights is going to include: you have the right to the assistance of counsel during all stages of the proceedings.

¡Y este episodio de Palabras Del Día is a reminder that I should not compose messages cuando tengo hambre!

Número Treinta

In our plea petitions, our clients let the judge know they have received legal advice from their *abogado*. They say they have fully discussed their case with their attorney:

Hablé ampliamente de mi caso con mi abogado.

Then they say that their attorney has counseled and advised them concerning the nature of each charge, any lesser-included offenses, and the possible defenses that they might have in this case.

Mi abogado me aconsejó y asesoró sobre la índole de cada uno de los cargos, los delitos subsumidos y las defensas posibles que pudiera tener en este caso.

The noun for the verb *asesorar* (to advise, to counsel) is very useful: *asesoría*. *Abogados proveen asesoría a sus clientes para ayudarlos con decisiones difíciles en el sistema penal* (Attorneys provide consultations or legal advice to their clients to help them with difficult decisions in the criminal system). In the context of our discussions with clients, our legal advice is our *asesoría*.

Número Treinta y Uno

¿Cuándo cruzó la frontera? ¿Dónde cruzó la línea? When we have clients who illegally entered the United States, we ask: When did you cross the border? And where did you cross the line?

La frontera (the border) is a somewhat more formal way than *la línea* (the line) of referring to the what will soon be *La Pared o Muro* (The Wall).

And some typical responses to crossing questions: *por el cerro* (through the mountains), *por el río* (through the river), *y – hoy en día – por el mar* (and nowadays by sea).

The radical view on immigration is often expressed as *¡Sin fronteras!* (Without – or no – borders!).

And the wonderful organization Doctors Without Borders *es también conocida como Médicos Sin Fronteras*.

Número Treinta y Dos

Many of our cases have pretrial issues involving the Fourth Amendment of the Constitution of the United States.

Muchos de nuestros casos tienen que ver con la Cuarta Enmienda de la Constitución Estadounidense.

Not surprisingly the Anglo-American fine points of searches don't necessarily translate easily to Spanish. There are three formulations of the warrant requirement to keep in mind:

Orden de cateo (from the verb *catear* to search) – means search warrant but is generally applicable to searches of *casas* (houses), *negocios* (businesses), apartments (*apartamentos*), and cars (*carros o autos*), rather than the body of a person.

Orden de registro (from the verb *registrar*, which is both a cognate and also has the meaning to search) – also means search warrant and includes the person and the place where the individual lives.

Orden de búsqueda (from the verb *buscar* to look for) – also means search warrant but in a more vernacular way.

¿Le dio permiso a la policía de registrar su casa? Did you give the police permission to search your house?

¿Le dio consentimiento a la policía de catear su carro? Did you give the police consent to search your car?

For the more general use of *búsqueda*, we turn to Jane Austen, whose first line of *Orgullo y Prejuicio* (Pride and Prejudice) was translated as:

Es por todos conocido que un hombre soltero en posesión de una gran fortuna debe encontrarse en búsqueda de una esposa (“It is a truth universally acknowledged, that a single man in possession of a good fortune, must be in want of a wife.”).

And I'm sure Jane would also say, *Espero que el juez no tenga prejuicios a favor de la policía* (I hope the judge is not prejudiced in favor of the police).

Número Treinta y Tres

¡Buenas noticias! ¡Martha ha regresado! Podemos empezar otra vez.

We can start again sort of where we left off with Jane Austin: Elizabeth expresses her sincere congratulations upon knowing that they will soon be relatives (*Elisabeth le expresó su enhorabuena con toda sinceridad que iban a ser parientes en breve*).

We often need to ask *nuestros clientes acerca de sus parientes* – their relatives.

¿Dónde viven sus padres (Where do your parents live)?

Madre – mother

Padre – father

Tío – uncle

Tía – aunt

Hermano – brother

Hermana – sister

Cuñado(a) – brother or sister-in-law

Suegro(a) – father or mother-in-law

Yerno – son-in-law

Nuera- daughter-in-law

But the best and most flexible is *primo* or *prima* for cousin. Unlike English, this term can include all kinds of anthropological designations of second and third cousins and once or twice removed, sometimes even close friends.

But what about *Enhorabuena* as Congratulations? I'd always used *¡Felicidades!* for congratulations. I guess we'll just have to double up the next time we celebrate.

Número Treinta y Cuatro

Have you noticed how some place names in Mexico don't sound very Latin based? *Chapultepec*, *Popocatépetl*, *Michoacán*? Those names have roots in *Náhuatl*, the language of the Aztecs, or other indigenous languages. So here are some words commonly used in Mexico that have parallels in Spain Spanish, but sound much cooler in *Náhuatl*:

Tecolote for owl instead of *el buho*
Cuates for twins instead of *los gemelos*
Zopilote for vulture instead of *el buitro*
Tlacoache for opossum instead of *zarigüeya*
Apapacho for a hug instead of *abrazo*
Cacahuate for peanut instead of *maní*
Peyote for *peyote*

For those who remember The Milagro Beanfield War, the protagonist refers to the state police as *las chotas* and *El Zopilote* as a particularly insulting reference to the powers that be.

Turns out Mexican Spanish is full of *Aztequismos* or other indigenous language words!

Número Treinta y Cinco

Terrible headline in New York Times *en español* from tragedy in Mexico:

Un fuerte terremoto sacude México; hay un centenar de muertos

A strong earthquake shakes Mexico; there are hundreds dead

The first paragraph describes the damage:

Más de 100 personas fallecidas, decenas de edificios derrumbados, incendios aislados y alrededor de dos millones de personas sin electricidad son las primeras consecuencias del terremoto de magnitud 7.1 que azotó la zona central de México este martes.

More than 100 persons perished, dozens of buildings destroyed, isolated fires, and around two million people without electricity are the first consequences of the earthquake of 7.1 magnitude that whipped the central zone of Mexico this Tuesday.

What to say to clients with relatives in a danger zone?

How about:

¡Ojalá que toda su familia esté sana y salva!

Ojalá is translated as hopefully but is derived from Arabic for may Allah will it. The expression takes the subjunctive because it is expressing uncertainty and hope. We are hoping that all your family is safe and sound.

Número Treinta y Seis

So today's words are "hurricane" and "tuitear."

The headline reads: *Así apoyan los famosos a las víctimas del huracán María en Puerto Rico.*

In this way the famous are aiding the victims of hurricane María in Puerto Rico.

Our English "hurricane" is derived from the Spanish *huracán*, which is probably derived from the Taino god of the storm *Huracán* or from the Mayan-Quiché *Hurankén*.

In a reverse of borrowed words, Spanish has adopted the word "tuitear" for to twitter, which becomes relevant because, after the *alcalde* (mayor) of San Juan asked for help, *el presidente tuiteó que ella es "nasty" (asquerosa)* and her people were not helping themselves. In response, Lin-Manuel Miranda, the creator of Hamilton and lyricist for Moana, tuiteó que:

Ella ha estado trabajando 24/7 (She's has been working 24/7).

Tú has estado JUGANDO GOLF (you have been playing golf).

And aquí esta el link (o vínculo o enlace) para el video que grabaron puertorriqueños famosos de la canción para proporcionar apoyo a los residentes de la isla:

<https://www.nytimes.com/2017/10/06/arts/music/lin-manuel-miranda-puerto-rico-relief-song.html>

Número Treinta y Siete

During the disco '70s, I was a lawyer with *servicios legales* in the Yakima Valley. I was baffled to hear myself referred to as *el chino*. The dictionary said *chino* meant Chinese or more generally someone of Asian descent. Marta points out that, in the *idioma de nuestros clientes méjicanos* (and only Mexican Spanish), *chino* can refer to curly hair, as in *pelo chino* as opposed to *pelo liso* (straight hair), while more general Spanish uses *pelo rizado* for curly hair. And I did have a Disco Stu look, supplemented by the required *bigote* (mustache) so clients wouldn't think they were being advised by *un adolescente* (teenager).

Which brings us to baseball. Cuban-born Yuri Gurriel of the Astros blasts a homer off Japan-born Dodger pitcher Yu Darvish, then gets slammed for making a gesture about eyes and mouthing the word “*chinito*.” Sportswriter Dylan Hernandez, whose parents are from El Salvador and Japan, provides some interesting commentary as linked below. Although some mocked Gurriel for not knowing the difference between *japonés y chino*, the expression has the more general meaning referring to persons of Asian descent: all of *Perú* knew former President Fujimori was of Japanese ancestry but called him *El Chino*. The *-ito* suffix is often used in an affectionate, teasing diminutive, as in names like *Carlito*, *Pablito*, and *Martita*. You might soothe a crying child with “*Pobrecito, tan chiquito*” o “*Pobrecita, tan chiquita*” (poor little one, so small). But as Hernandez points out, depending on context, some folks being described as *chinitos* may not take it as kindly at all.

So here's where Marta's rules of manners come in. We should know what our clients are saying, including the full range of vocabulary. But for non-native speakers, it is usually a good idea to avoid slang and very colloquial usages to avoid giving inadvertent offense or being considered poorly raised (*malcriado o malcriada*) or poorly educated (*maleducado o maleducada*).

<http://beta.latimes.com/sports/la-sp-dodgers-hernandez-20171027-story.html>

Número Treinta y Ocho

Although it breaks Jerry's heart, *la temporada de béisbol* (baseball season) is over, giving way to the next season's *deporte* and Kristen and Fidel's *Aguilas de Filadelfia*. We must forgive them for failing to provide adequate respect to *los Halcones Marineros de Seattle*. So here are some vocabulary words easily remembered as associated with NFL teams. And remember, we're not talking about *fútbol* here – that means soccer *en español*. We call it *fútbol americano* when we're talking about *equipos* (teams) *de la NFL*.

Gigantes de Nueva York
Vaqueros de Dallas
Osos de Chicago
Panteras De Carolina
Santos de Nueva Orleans
Halcones de Atlanta
Cuervos de Baltimore
Acereros de Pittsburgh
Delfines de Miami
Jaguares de Jacksonville
Cargadores de San Diego

And remember that *deportar* (to deport) is a verb we use in immigration contexts, while *deportes* are sports. We can always count on certain colleagues providing *las noticias del mundo deportivo* as long as *los Aguilas estén ganando* (are winning, subjunctive because of the frase “as long as”). Speaking of which, the term I hear on *las noticias deportivas* for quarterback *es el mariscal*, which sometimes is translated as marshal – which we usually translate as *aguacil* or *aguaciles* when we're talking about the marshals who guard our clients, even though the term *aguacil* also means sheriff.

Número Treinta y Nueve

In honor of their efforts last weekend and this week with the service shutdown and the installation of new copiers, here is the Pat and Matt edition of *Palabras Del Día*, Chapter First. You will notice that our technocrats have a huge advantage with the number of cognates to English terms, but we are glad they have *la amplitud de banda* (bandwidth) to pick up some unique words, like *la arroba* for the @ symbol.

To start out, we have two options for computer: *la computadora* (in Latinoamérica *por la influencia del inglés*) y *el ordenador* (*en España por la influencia del francés*). For some reason, I find the first easier to remember.

Here's a twofer: *el salvapantallas* – the screensaver includes *la pantalla* for the screen (and notice how *salvapantallas* is masculine, while *pantalla* is feminine).

But here's one where I prefer the less cognate word: *el ratón* instead of *el mouse* (pronounced as *maus*).

Which leads us to *el clic* (the click) as a noun and *hacer clic o cliquear* for the verb to click.

Here's a fun fact on why you could either hear *el internet* or *la internet*. The masculine arises from the default for new words while the feminine originates in *la red* (the word for network or grid *en español*). Which would make the dark web *la red oscura*.

And before leaving this introductory message, let's talk about the word Pat and Matt hate to hear: crash. *En español, se usa la palabra colgar* to mean to hang or, with *teléfonos*, to hang up, but in informal Spanish *colgar* can also mean to crash (or to freeze) as in *¡Se me ha vuelto a colgar el ordenador (o la computadora)! (My computer has crashed on me again!)*.

Número Cuarenta

The Pat and Matt edition of *Palabras Del Día, Capítulo Dos*:

Some technical words are just too easy: the email address or address of a website is *la dirección*, the same as for a home address. Since the slash sign is *la barra*, the backslash is a little strange: *la barra invertida, la barra inversa, o la contrabarra*. And the dot in English is *el punto*, which is the same as period or point *en español*. If you are backing up your files you are *haciendo las copias de seguridad*. Here's a sophisticated one you'll have to guess: *el cursor*. And one of my favorites is cut and paste, which translates as *cortar y pegar*. Remember, the @ symbol in Spanish has the specific name "arroba" in *una dirección electrónica: por ejemplo, martha carter-balske, arroba, identificación, punto, edu*.

A few more *palabras* that have origins in the non-virtual world: *el archivo* for the file; *la carpeta* for the folder; *la tecla* for the key. And we'll finish up for today with not dancing hard at the club but *disco duro* for the hard drive.

Número Cuarenta y Uno

Pat and Matt edition of *Palabras Del Día, Capítulo Tres*:

Let's start with some easy cognates:

icon — *el ícono*

memory — *la memoria*

menu — *el menú*

message — *el mensaje*

modem — *el módem*

server — *el servidor*

software — *el software*

spam — *el spam*

video — *el video*

virus — *el virus*

processor — *el procesador*

program — *el programa*

Then add a few more that are the same from general usage: *borrar* for to erase, *la página inicial* for home page, and *guardar* for to save.

Then to complete our ability to provide email addresses over the phone, I would like to introduce you to *guion bajo* – which means the underscore key, which totally tricked me because I've always used *subrayar* as to underline, as in to emphasize a point. I assumed *subrayar* would also be the underscore symbol. Dang – pesky new information!

So when Neysa Smith is providing her email address, she says neysa, guion bajo, smith, arroba, fd, punto, org.

And for bonus points, here's a link to the Alphabet Song *En Español* so you don't wrong-foot *los hispanohablantes* when you are spelling your name or other parts of *la dirección de su correo electrónico*:

<https://www.youtube.com/watch?v=5MJbHmgaeDM>

Número Cuarenta y Dos

Actual and ultimate false cognate alerts!

Remember the problem with *actualmente*? We think of it as actually when *en español* it means nowadays. So we say *realmente* when we mean really or actually and *actualmente* when we're referring to what is happening now.

We add another level of confusion with the guidelines that have different offense levels for “actual” methamphetamine (or actual PCP or actual amphetamines) as opposed to the level for a mixture (*una mezcla*) containing the drug. In this context, the translation would be “*pura o puro*” because we are talking about the purity of the substance. If we used *actual in español*, it would make little sense talking about things temporal in the context of drugs.

And *últimamente* doesn't mean lastly or finally. Related to *actualmente*, *últimamente* means recently or lately. When we get to the last of something, we say “*por último*” *en español*. So when we get to the last signature line on the plea petition, we can say, *por último, favor de firmar aquí o firme aquí, por favor*.

Número Cuarenta y Tres – Thanksgiving

So Martha will set me straight upon her return, but I'm thinking happy thoughts about some basic words for the long weekend:

Turkey – *el pavo*

Mashed potatoes – *el puré de patatas o puré de papa*

Stuffing – *el relleno* (applies to all kinds of stuffing as in *chiles rellenos*)

Yams – *el ñame* (one of the few words starting with an ñ) *o la batata*

Vegetables – *las verduras*

Cranberry – *el arándano rojo*

Gravy – *la salsa para carne*

Pumpkin pie – *el pastel o la tarta de calabaza*

¡Feliz Día de Acción de Gracias!

Número Cuarenta y Cuatro – St. Patrick’s Day

Este fin de semana, celebraremos el día de San Patricio.

This weekend, we will celebrate Saint Patrick’s Day.

En este poema, San Patricio esta reconocido como patrono de los abogados defensores publicos.

In this poem, Saint Patrick is recognized as the patron saint of public defenders.

<http://circuit9.blogspot.com/2012/03/ode-to-saint-patrick.html>

Pero también tiene un papel en la historia de héroes y traidores.

But he also has a role in the history of heroes and traitors.

Durante la guerra entre los Estados Unidos y México en 1847, algunos soldados americanos (some American soldiers) of Irish and Catholic descent deserted to fight for Mexico in el batallón de San Patricio.

Streets and buildings in Mexico honor the heroism of the battalion, while at the end of the war dozens were executed by the American victors as traitors.

Which gets us to the words *héroes y traidores*.

En nuestro trabajo, a veces nuestros clientes son testigos en contra de organizaciones de narcotráfico; a veces son víctimas de testimonio comprado.

In our work, at times our clients are witnesses against drug trafficking organizations; at times they are the victims of bought testimony.

*Los personas que proveen información al gobierno tienen el nombre insultante de *soplón* (or *soplona* in the feminine). Por eso, un *soplón* traicionó (from the verb *traicionar*) a sus compañeros en la organización de narcotráfico.*

Persons providing information to the government have the insulting name “*soplón*”. Thus, a *soplón* betrays his companions in the narco-trafficking organization.

And the general who carried out the executions of *los héroes o traidores del batallón de San Patricio*? General William S. Harney, for whom Harney County is named.

Número Cuarenta y Cinco

Recientemente hablamos de “soplón” que quiere decir “snitch” derivado de la palabra “soplar” (to blow....maybe the whistle?).

At the end of words, *ón* is often an augmentative – giving an extra emphasis. *Por ejemplo:*

Panza: belly (from the word “*pan*” for bread) becomes *panzón*, more like a pot belly or bread basket.

Muro: for wall becomes *murallón* for a really big wall.

Libro: for book becomes *librón* for a really large book.

Hombre: for man becomes *hombrón* for a big, strong man.

Mujer: for woman becomes *mujerón* for a big, strong woman (and takes the masculine form, so *una mujer* but *un mujerón*).

Back to *soplón*, *recuerde la regla (rule) de Marta acerca de las maneras y buen comportamiento: debemos entender todas las palabras incluyendo la jerga (slang) pero debemos tener mucho cuidado al usar este tipo de palabra. La palabra más cortés y formal es informante (informant).*

And the bonus augmentative is *grandote*: the colloquial expression covers huge in general but is more specifically used in describing a big tall (not necessarily stout) person.

Número Cuarenta y Seis

Cuando Martha habla de buen comportamiento (behavior), ella está usando una frase similar a la frase que usamos cuando hablamos de tiempo reducido por “good time credit.” En el formulario de la solicitud para asentar una declaración de culpabilidad (in the guilty plea petition), el aviso acerca de tiempo reducido por buen comportamiento en la prisión dice:

“Me pueden rebajar (lower) la pena por buena conducta hasta 54 días por cada (each) año cumplido (completed) en la prisión. Esta rebaja (reduction) no se aplicará si la pena es de un año o menos.”

“I can earn credit for good behavior in prison at a rate of up to 54 days for each year of imprisonment served. Credit for good behavior does not apply to a sentence of one year or less.”

Notice “*tiempo cumplido*” – like a birthday, which is “*cumpleaños*.” When you have a birthday, that is how many years you have completed.

In our office, we fought against the BOP for a decade claiming their calculations were robbing seven days of credit every year, for a national total of 36,000 years. We said the 54 days a year should be calculated against the time imposed, not the time served.

En nuestra oficina, nosotros peleamos en contra de la Correccional Federal (BOP) por una década, argumentando que sus cálculos estaban robando siete días de crédito por cada año, por un total nacional de 36,000 años. Dijimos que los 54 días se deben calcular en contra de la pena impuesta en lugar del tiempo cumplido.

Finalmente llegamos a la Suprema Corte a presentar nuestro argumento...y perdimos 6 a 3.

Finally we arrived at the Supreme Court making our argument...and lost 6-3.

But with the First Step Act, our calculation was determined to be correct, *y por eso el aviso dice 54 días por cada año de la pena impuesta.*

Número Cuarenta y Siete

Speaking of *buen comportamiento*, there is a sign-off at the end of conversations derived from “*comportarse bien*” – to behave (yourself) well. After telling our clients the advantages of developing a good prison record, depending on the relationship with the client, we might sign off the call or conversation by saying “*compórtese bien*” o “*pórtese bien*” – behave yourself – or be a Boy Scout. Relatedly, sometimes we also sometimes sign off with “*cuidese*,” which is like be careful out there or take care of yourself (from *cuidarse*).

And since I know you’re curious – the translation for Boy Scout is “*boy scout*,” pronounced *boy escout*.

If you would like to wish someone, verbally, a good night sleep, you would say: “*que descanse*” (rest well) or my favorite “*dulces sueños*” (sweet dreams) or “*que sueñe con los angelitos*” (I hope the angels are in your dreams).

The expressions starting with *que* are a shorting of *Ojalá que*, the Arabic-derived expression for God willing.

And because it’s *viernes*, we say:

¡Que tengan un buen fin de semana! Have a nice weekend, you all!

Número Cuarenta y Ocho

Today is Don't Forget To Roll Your Rs Day.

At the beginning of a word starting with “r”, and when two Rs are together in the middle of the word as “rr”, we roll the Rs (which makes for a dramatic effect). Here's a video on how to trill your Rs:

<https://www.youtube.com/watch?v=cjoOD8SVhos>

And a Texan's thoughts on the subject:

<http://www.trevorhuxham.com/2014/02/10-tips-for-rolling-spanish-r.html>

In contrast, a single R in the middle of a word kind of sounds like a “d” and is not rolled.

When we talk about expert witnesses, rolling Rs can be *importante*. *En español, la palabra que quiere decir “expert” can be perito o experto. No hay riesgo cuando usamos el cognado “experto” pero si usamos “perito” tenemos que tener cuidado (we have to be careful) y rolar las Rs. ¿Por qué? Porque mientras perito quiere decir “expert”, perrito o perrita quiere decir “little doggie” (or worse), from perro y perra for male and female dog.*

Por eso, a veces yo no tengo confianza suficiente y uso “experto”, pero otras veces me digo a mí mismo (I say to myself), no seas cobarde: puedo usar “perito” pero tengo que acordarme de no pronunciar la “r” como “rr”.

So next time you see *un compañero hispanohablante*, *escuche cuando dice palabras como rojo, recomendación, perro, reos, y raza.*

Y ahora a practicar:

R con R, cigarro

R con R, barril

Rápido ruedan las ruedas del ferrocarril.

Número Cuarenta y Nueve

Y ahora que conocemos las palabras “perito” y “experto”, es fácil describir los tipos de expertos que usamos. Muchos son cognados, por ejemplo:

psychiatrist -- *psiquiatra*
psychologist – *psicólogo/a*
social worker -- *trabajador social*
accountant – *contador/a*
criminalist -- *criminalista*
engineer – *ingeniero/a*
chemist – *químico/a*

How do we use feminine or masculine articles *con nuestros peritos*? The expert nouns that end an “a” do not change. We say: *el psiquiatra/la psiquiatra; el criminalista/la criminalista*. But the rest do change: *Decimos la psicóloga/el psicólogo, el contador/la contadora*.

Para que quede claro, se puede usar “forense” (forensic) en la descripción del perito. Por ejemplo, podemos decir: tenemos que conseguir testimonio experto de un psicólogo forense para presentarlo al juez antes de la imposición de la pena (we need to obtain the expert testimony of a forensic psychologist to present to the judge before the imposition of the sentence).

Número Cincuenta

Yo quisiera hablar del uso de intérpretes en las salas de tribunal federales.

I would like to discuss the use of interpreters in federal courtrooms.

Pero antes de examinar este tema fascinante debemos contestar la pregunta: ¿Si hay intérpretes excelentes como Martha, por qué vale la pena aprender palabras en español cuando nunca voy a ser completamente bilingüe?

But before examining this fascinating topic, we should answer the question: If there are excellent interpreters like Martha, why is it worth the effort (pain) to learn words in Spanish when I will never be completely bilingual?

Mi contestación/respuesta favorita viene de Trevor Noah, quien creció en Sudáfrica, una nación con nueve lenguas (o idiomas) oficiales.

My favorite answer comes from Trevor Noah, who grew up in South Africa, a nation with nine official languages.

*En su libro *Nacido Un Crimen* (Born a Crime), Sr. Noah dice:*

“Nelson Mandela once said, ‘if you talk to a man in a language he understands, that goes to his head. If you talk to him in his language, that goes to his heart.’ He was so right. When you make the effort to speak someone else’s language, even if it’s just basic phrases here and there, you are saying to them, I understand that you have a culture and identity that exists beyond me. I see you as a human being.”

Por eso, cada vez que aunque solo digamos “Buenos días, mucho gusto” (Good morning, a pleasure [to meet you]) a un cliente hispanohablante, podemos demostrar – de una manera pequeña pero real – respeto a su cultura y reconocimiento a su humanidad.

Based on this, every time that we can even say “*Buenos días, mucho gusto*” to a Spanish-speaking client, we can demonstrate – in a small but real way – respect for his culture and recognition of his humanity.

Número Cincuenta y Uno

Interpretar v. Traducir

To interpret versus to translate

While in the general world, folks often use interpret and translate interchangeably, in Law World, we are careful to distinguish them and their cognates.

El o la intérprete provee interpretación oral.....por ejemplo, interpretación simultánea durante un procedimiento en la sala de tribunal.

The interpreter generally provides oral interpretation.....for example, simultaneous interpretation during courtroom proceedings.

El traductor o la traductora proporciona una traducción por escrito.....por ejemplo, traducción de una carta de inglés a español.

The translator generally provides written translation.....for example, translation of a letter from English to Spanish.

La intérprete interpreta en el tribunal y proporciona la interpretación.

La traductora traduce en la oficina y proporciona la traducción.

And remember that *traducir* is an irregular verb in the first person singular, so *Marta diría* (would say) in the present tense: *Yo traduzco la carta.*

And that means the present subjunctive uses the first person singular root: *traduzca, traduzcas, traduzca, traduzcamos, traduzcan.*

And in the preterite (past) tense, *traducir* is irregular with a “j”: *traduje, tradujiste, tradujo, tradujimos, tradujeron.*

Número Cincuenta y Dos

Consejos útiles para cuando estás trabajando con intérpretes

Helpful tips (useful advice) when you're working with interpreters

When it comes to being mindful, our work with interpreters reminds us to think about – and not take for granted – the interpreter's work. So here are the ten top reminders for how to facilitate and maximize good communication while not driving the interpreter you are working with crazy.

1) *Preséntele a su cliente el/la intérprete al principio de la audiencia y explique su función:* Introduce your client to the interpreter at the beginning of the hearing and explain the interpreter's role.

2) *Diga al cliente que, si tiene preguntas para su abogado durante los procedimientos, el cliente debe decir que quiere hablar privadamente con Vd. porque es su abogado:* Tell the client that, if there are questions for the attorney during the hearing, the client ought to say he wants to speak privately with you as the attorney.

3) *Explique a su cliente que él debe decirles al intérprete y a Vd. si él no puede entender lo que se está diciendo:* Explain to your client that he should tell you and the interpreter if he is not understanding what is being said.

4) *Dé al intérprete un resumen de lo que se va a hablar durante los procedimientos:* Give the interpreter a brief summary of the material that will be discussed during the proceedings.

5) *Hable claramente en voz alta y despacito:* Speak clearly in a loud voice and slowly (*despacio pero hay una canción popular titulada "Despacito"*).

6) *No tenga miedo de decir al juez o al fiscal que hablen más despacio:* Don't be afraid to tell the judge or prosecutor to slow down.

7) *Preste atención cuando alguien esta leyendo un documento para estar seguro que no está leyéndolo demasiado rápido:* Pay attention when someone is reading a document to be sure it is not being read too quickly.

8) *Trate de evitar el uso de terminos técnicos legales:* Try to avoid the use of technical legal terms.

9) *No hable en “código legal”, como por ejemplo, “el intervalo de sus pautas penales es...” porque los clientes no saben lo que son “las pautas penales:* Don't speak in “legal code”, for example, “the sentencing guidelines range is...” because clients don't know what “the sentencing guidelines” are.

10) *No hable en párrafos grandes, llenos de muchos detalles, porque es difícil para los intérpretes acordarse de todo:* Don't speak in long paragraphs full of many details because is hard for the interpreters to remember everything.

Número Cincuenta y Tres

La ética profesional de intérpretes

When I was a baby lawyer representing migrant farmworkers in rural Washington, we were appalled at the interpreter practices in the local courts. *Para los acusados hispanohablantes, el juez pedía la ayuda de un pariente (relative) o un policía. Vimos incidentes en que un juez hizo una pregunta al policía, después el acusado y el policía hablaron por cinco minutos, después el policía le dijo al juez, “He says no.”* We researched the way the United Nations certified *intérpretes* and began trying to require at least some semblance of *normas o estandares* (norms or standards) *para intérpretes judiciales* (court interpreters). *Nuestra Martha era y es una de las líderes del movimiento que resultó en las excelentes normas profesionales que existen hoy en día (o actualmente) para los intérpretes en este estado y nuestra nación.*

Algunas de las reglas de la ética profesional de los intérpretes (that are full of cognates so I’m cheating on providing translations) son:

- 1) *Los jueces solamente deben nombrar intérpretes profesionales y no deben usar parientes, agentes del gobierno, u otras personas que no están capacitadas (capable) para este papel importante (important role).*
- 2) *La habilidad de hablar un idioma no significa que una persona puede actuar como intérprete judicial. Los intérpretes deben pasar/aprobar exámenes para establecer su competencia en inglés y en el otro idioma.*
- 3) *La función de un intérprete es simplemente decir exactamente lo que cada persona está diciendo – si la pregunta es “Ask him whether he understands,” la interpretación debe ser “pregúntele si él entiende.”*
- 4) *La conversación o coloquio en la sala de tribunal o en un despacho (office) o en la cárcel (jail) es entre los participantes, no entre el intérprete y la persona no anglohablante.*
- 5) *El papel de un intérprete judicial no es explicar términos o conceptos o el significado (meaning) de una pregunta, sino es simplemente hacer que la*

comunicación entre las partes que están conversando se lleve a cabo (is carried out), sin omitir (omitting), agregar (adding to), o cambiar (changing) la conversación.

Número Cincuenta y Cuatro

La ética profesional de los abogados

Muchas veces (many times), nuestros clientes tienen problemas para entender el papel (the role) de los abogados defensores, especialmente cuando los abogados reciben su sueldo (wages) del mismo (same) gobierno que está procesando penalmente (prosecuting) al cliente. En nuestra experiencia, una manera de hablar sobre este tema (subject) es explicar la ética profesional de los abogados. Estos son tres ejemplos de la manera en que la ética profesional puede ayudar a los clientes a tener la confianza (trust) necesaria para tener una buena relación entre abogado y cliente.

1. *Maintaining confidences: La relación entre abogado y cliente es tan (so) especial que, según la ley (according to the law), existe un derecho legal para las comunicaciones entre ellos. Violaría (It would violate – conditional tense) las reglas de la ética que un abogado revele (reveal) información comunicada en privado entre abogado y cliente. Es como con un médico: la ley reconoce (the law recognizes) la importancia de decir la verdad al describirle a un doctor las síntomas – y en el derecho, el abogado tiene que saber todos los hechos (facts) para asesorar legal y correctamente (provide correct legal advice). Por eso, los clientes pueden proporcionar toda la información correcta y completa a los abogados, aunque ésta avergüence (embarrass) al cliente, sin temor de que el abogado o su equipo defensor (defense team) la revele sin permiso del cliente.*

2. *Zealous representation: Los abogados tienen la obligación de hacer todo lo que se pueda – dentro de los límites que marca la ley – para ayudar (help) al cliente. No tiene ninguna obligación de ayudar a los co-acusados o fiscales: es una violación de la ética profesional dañar (damage) los intereses del cliente a pesar de que el gobierno es quien está pagando su salario. Los abogados tienen que representar los intereses de los clientes con celo (zeal – but be careful because celoso means jealous).*

3. *Movidas chuecas (dirty tricks): La ética profesional prohíbe que los abogados cometan actos ilegales para ayudar a sus clientes. No pueden pagar ningún testimonio, presentar testimonio falso, alentar (to encourage) la destrucción de evidencia, o mentir (to lie) a los jueces, fiscales, y jurados. Esto incluye que, si un cliente niega (denies) que tiene la culpa, el abogado no puede permitirle al cliente*

mentir en los procedimientos para asentar en actas una declaración de culpabilidad – no puede declararse culpable si no admite verdaderamente que es culpable. El abogado va a hacer todo lo que pueda para ayudar a su cliente pero solamente dentro de los límites que marca la ley.

Número Cincuenta y Cinco – Salud

Cuando esté tomando una cerveza, brindaría (brindar, to toast) your companion by saying, ¡Salud! as in “To your health!”

Cuando alguien estornude (estornudar, to sneeze), you also might say, ¡Salud!

In normal conversation, the word “salud” quiere decir “health,” which can mean salud física (physical health) o salud mental (mental health).

Desgraciadamente, muchos de nuestros clientes del sistema penal tienen enfermedades (illnesses) o trastornos (disorders) mentales.

Muchas de las enfermedades mentales tienen nombres en español muy parecidos a los nombres en inglés: depresión, trastorno bipolar, esquizofrenia, trastorno obsesivo compulsivo, trastorno de ansiedad, y trastorno de estrés postraumático.

Número Cincuenta y Seis – Salud Mental

¿Cuántas veces hemos oído las preguntas de un sicólogo (psychologist) que trata determinar la condición mental de nuestras clientes?

But we often are making rough determinations en nuestras entrevistas preliminares, por ejemplo:

¿Ha recibido tratamiento (treatment) para una condición o enfermedad mental?

¿Esta tomando medicamentos prescritos por un médico? ¿Hay medicamentos prescritos que no está tomando?

¿Ha tenido pensamientos de causarse daño a sí mismo? ¿Ha tratado de suicidarse?

¿Ha oído voces cuando nadie está presente?

¿Se siente deprimido?

¿Ha pasado tiempo en un hospital mental o en otra institución que provee tratamiento para enfermedades mentales?

Número Cincuenta y Siete – Malilla y Sobredosis

Muchos de nuestros clientes son adictos a las drogas.

A veces, inmediatamente después de ser arrestados, nuestros clientes sufren del síndrome de abstinencia (withdrawal symptoms). Los síntomas pueden incluir náusea, dolor de cabeza (headache), sudor (sweating), escalofríos (shivers), insomnio, irritabilidad, y pérdida de concentración (loss of concentration).

The slang term for *síndrome de abstinencia* is *la malilla*.

La sobredosis quiere decir overdose. When taking social history, queremos saber si nuestro cliente ha sufrido una sobredosis en el pasado. Our Len Bias cases involucran clientes que están acusados de vender drogas a personas que murieron como resultado de la sobredosis.

Ten Thoughts on Building and Maintaining Fluency

Even native *hispanohablantes* immersed in American English can find it difficult to maintain and build fluency *en español*. Here are some ideas on keeping the rust off in ways we find recreational.

1. *Literatura latinoamericana*: Writers from south of the border have generated a wonderful body of literature. I confess; I did it all wrong: I still remember slogging my way through Gabriel García Márquez's *Cien Años de Soledad* looking up and writing down every unfamiliar *palabra en español*. Martha taught me to relax and understand most words through context and skip past others. Then I discovered that, on Kindle and other reading devices, you can load *libros en español* and *un diccionario español* so, when you hit an unfamiliar word, you touch it and up pops the definition! The authors we recommend are wonderful: Isabel Allende, Mario Vargas-Llosa, Carlos Fuentes, Julia Álvarez, Juan Rulfo, Leonardo Padura, Laura Esquivel. And don't forget trashy novels translated into Spanish for fun and weird vocabulary (yes, I learned *vampiros* by reading *Crepúsculo* (Twilight)).
2. *Televisión*: I used to stay away from *telenovelas* because the audio was not great and the dialogue was interrupted by long meaningful gazes. Now there are wonderful series and movies with lots of opportunities to listen to spoken Spanish and, if you use *subtítulos*, build vocabulary. And you can enjoy comparing the *subtítulos* to how you hear the dialogue. Some recommendations: *Monarca*, a Netflix series about a Mexican tequila-producing family trying to break up with *narcotraficantes*; *Los Espookys*, a Bilingual comedy loosely based on Scooby-Doo; and my favorite, *El Ministerio Del Tiempo*, a time travel adventure with social commentary on modern Spain (which pairs nicely with Carlos Fuentes's history of all things Hispanic entitled *El Espejo Enterrado*). *La Reina del Sur* is a telenovela heavy on *narcotraficking* based on the novel of the same name by Spanish author Arturo Pérez-Reverte.
3. *Shadowing (sombreado)*: Mercedes Edgerton used this technique to smooth out the hesitancy of *anglohablantes* dealing with unfamiliar Spanish rhythms of speech. First, you record an excellent Spanish-speaker reading a passage

from a book or article (or bilingual plea petition). Then the English-speaker reads the same passage half a second later, mimicking the pronunciation and rhythm just heard. Takes very little time to improve fluency!

4. *Poesía*: Memorizing and reciting poetry provides another way of organizing your brain for Spanish. First, you have to find poetry to love, which is easy if you become a Pablo Neruda fan. Warning: Neruda wrote a ton of poetry and not all is transplendent. But the man has the big three: the best love poem ever (*Puedo Escribir Los Versos Más Tristes Esta Noche*), the best ode ever (*Oda al Tomate*), and the best epic poem ever (*Canto VI* of *Las Alturas de Macchu Picchu*).
5. *Noticias*: Prerecording *Noticias Univisión* or other news programs can provide great opportunities to build vocabulary, to catch up on matter of concern to *hispanohablantes*, and to listen to Spanish beautifully spoken. The juxtaposition of photos and film clips helps to puzzle out new vocabulary, while Jorge Ramos provides gorgeous diction and gravitas to the news (he also has a powerful memoir for when reading *en español*).
6. Skype: My comrade Fidel has found that there are great opportunities on Skype to seek out native speakers in their countries to converse in real time! Among the many platforms you can find using Google are Nulengua and Livelingua. And you may decide that audio is all you need. He prefers to send teachers a Spanish article, podcast, or telenovela and then discuss the material during class, noting grammatical questions or comments on areas the teacher thinks needs to be strengthened. He thinks it's a good idea to have a couple of different teachers so your ear does not get used to one type of accent or cadence.
7. *Inmersión*: My biggest building blocks for learning Spanish came in Guatemala with four weeks in an immersion program living with a family in Antigua. Hard for legal workers to do? Defender offices benefit from having lawyers and investigators who at least can communicate with *hispanohablantes* clients in a basic way. Try negotiating: a couple of weeks of annual leave plus a couple of weeks of training and maybe make a deal? You pay the relative inexpensive program, you spend time in a new and beautiful country, and you and your office are the better for it. *¿Como no, por qué no?*

8. *Práctica*: One of my favorite ways of keeping up on my español is chatting with Martha. Besides her lovely articulation, she is so skilled at gently correcting and suggesting. One of the obstacles to fluency is the equivalent of the choke in sports. You know how a batter or foul shooter, if they think too much, lose the rhythm and muscle memory? I think the same thing happens when *anglohablantes* are afraid of making mistakes and overthink. So creating a safe zone for practicing really helps (don't know if it's true that a glass of wine aids in fluency or only its perception). Speaking of social cues, do you *practicar* around solely English speakers? We want to avoid bad manners, so maybe provide both languages or maybe refrain.
9. *Música*: Singing is a great way of reflexively adapting the sounds and rhythms of language. My music vocabulary goes back to the civil rights songs of Joan Baez's *Gracias A La Vida* album. If you sing to children, *De Colores* is a favorite. If you like *corridos*, Linda Ronstadt's Songs For My Father are the traditional antecedents of our clients' *narcocorridos*, the class of music arising from the drug world. Given the vowel endings of so many *palabras en español*, rap has been adapted easily to help you develop pronunciation, vocabulary, and attitude.
10. *Periódicos y revistas*: Newspapers and magazines are a great way of developing vocabulary through context. My absolute favorite has mysteriously disappeared: the New York Times *En Español* had a wonderful group of thoughtful editors who provided Spanish *traducciones* of English articles, including columns on why they made editorial choices. The lead editor now provides translation of editorials on the Washington Post's *Post Opinión*. Another source of easy stories is the Spanish version of Readers Digest that is sometimes found in airports.

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This November, after 22 years with the Federal Public Defender's office, defending and protecting our clients and the United States Constitution, Martha is retiring. We will sorely miss her. As our *Palabras Del Día* project ends, here is the farewell poem we sang to her, fractured from José Martí's words and put to the music of *Guantanamera*, retitled, *Marta, Te Amamos*:

Eres una mujer sincera
De donde se hablan castellano,
Y desarrollaste una pasión
De mejorar nuestra comunicación.

Con los pobres de la tierra,
Has compartido tu suerte;
Ante el poder del gobierno
Nadie se levanta sintiéndose solo.

You are a sincere woman
From where Spanish is spoken,
And you developed a passion
To better our communication.
With the poor of the earth
You have shared your fate;
Before the power of the government
No one stands feeling alone.
Your words are perfect translations,
Said with an overflowing heart;
Clients benefit because you care,
And you bring happiness to our lives.

Tus palabras son traducciones perfectas,
Dichas con corazón rebosante;
Clientes benefician porque tú cuidas,
Y llevas alegría a nuestras vidas.