

teaching the communication skills needed in legal practice? and (5) Do lawyers with pre-legal or CLE (Continuing Legal Education) training in communication skills perceive themselves as more effective communicators than those without? Of course all these skills are very important for a lawyer. Previous findings showing that skills are acquired primarily through personal experience were corroborated. Based on researches, speech communication department should play a more active role in educating pre-law students. Legal communication sources should include a broader range of communication skills than traditional trial skills. Speech professionals should also become more actively involved in CLE instruction and should advise law school educators regarding appropriate teaching techniques in communication skills.

Forming of professional foreign communicative competence in the conditions of integrative appropriation legal and speech knowledge by students gives an opportunity considerably to shorten a break between purchased theoretical knowledge and their practical application, so as future lawyers get possibility to learn how to carry out judicial actions in a professionally exact speech form.

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ISSUES IN LEGAL TRANSLATION

Legal translation is often more difficult than other types of technical translation because of the system-bound nature of legal terminology. Unlike scientific or other technical terminology, each country has its own legal terminology (based on the particular legal system of that country), which will often be quite different even from the legal terminology of another country with the same language.

The system-bound nature of legal text means that successful translation into another language requires competency in at least three separate areas: first, a basic knowledge of the legal systems, both of the source and target languages; second, familiarity with the relevant terminology; and third, competency in the specific legal writing style of the target language. Without these competencies, the translator's rendition will be a word-for-word translation that is often incomprehensible.

Thus, the professional legal translator must be part linguist, part legal scholar and part detective, willing and able to search out and define legal concepts expressed in the source language of a document that may not even have an equivalent in the language or legal system of the target text. The translator must first decode the source text and reconstruct its meaning in the target text. In many cases, the translator is limited to finding a functional equivalent for a word or phrase or a parenthetical explanation because an exact translation is impossible.

A good legal translator also knows that even within the legal field there are completely separate areas of law that require specific translation techniques: a contractual document has little in common with a will, an administrative certificate, a judicial decision or a statute, to name a few examples. The translator knows that he or she must consult not only a monolingual legal dictionary, but also a treatise regarding the subject matter, and, that bilingual dictionaries, while useful, should be used with caution.

The professional legal translator must understand the intended use of the translation, which has as much bearing on his or her approach as the text of the document itself. Terminology, phraseology, syntax, register (tone) and a myriad of other parameters will be affected by the purpose of the translation (e. g., is the translation for information purposes only, binding contract language, or for submission as evidence in court?). As source-text documents are not always well written or clear, the translator must first decide whether the source text is unintelligible to the laymen but not the expert, or simply unintelligible. In this case, the translator would have to decide whether a faithful translation of the meaningless original should be equally meaningless in the target language, despite the pain of deliberately creating nonsensical text.

It is generally acknowledged that finding suitable equivalents of legal terms is a source of constant and time-consuming problems faced by legal translators in their practice. In general terminology mining takes up to 75 per cent of translation time. Most translators work to tight deadlines under substantial time pressure and in reality have little time to carry out in-depth comparative-law analyses. It is vital for them to retrieve accurate equivalents as quickly as possible and recent technological developments have substantially accelerated the process.

Equivalence is regarded as fidelity to the spirit rather than to the letter of the law or a search for equal intent. In general, translation strategies range from foreignising (SL-oriented equivalents) to domesticating (TL-oriented equivalents) where the former seeks to evoke a sense of the foreign while the latter involves assimilation to the TL culture and is intended to ensure immediate comprehension .

Domestication has been long present in translation history, at least since ancient Rome . It is a generally preferred strategy of the resulting invisibility of translators.

Foreignising strategies have been used in literary rather than technical translation which is predominantly domesticated, intended to support scientific research, geopolitical negotiation, and economic exchange, it is constrained by the exigencies of communication and therefore renders foreign texts in standard dialects and terminologies to ensure immediate intelligibility . A foreign approach may create obstacles to smooth communication. Source-oriented translation requires the reader to walk the tight-rope of communication across the still-yawning cultural gap between the original and derivative texts. Domestication may be regarded as a preferred strategy in LSP translation

and even an industry standard, which is confirmed by a random overview of translation agencies' websites and the way in which they describe (or rather advertise) their services: a meaningful translation, we deliver a smooth and eminently readable text, we are determined to provide seamless communication between people of different languages and cultures, lucid translations that read like original texts, language styles that are tailored, fluent, interesting and persuasive. It may suggest that functional equivalence (i. e. domestication) is ubiquitous and the industry standard is to answer the readers' aesthetic horizon of expectation by providing reader-friendly translations. A translation should be at least as readable and natural as their source predecessors. The functional turn is however not always extended to legal terms and scholarly opinion seems to be divided as to its acceptability in legal translation. TL-oriented (functional) equivalence is regarded as the ideal method of translation.

Another obstacle which may limit the applicability of functional equivalents in legal translation is a problem of determining what a target legal system and recipients are. Ideally, a translation brief should provide such details; yet this is rarely the case. It is not so much a problem when translating from English into a language with one standard variety, such as Polish, but vice versa, i. e. legal translation into English. Is the target text intended for the UK, US, Australian or Canadian audience? If for the UK audience, is it England or Scotland with its distinct legal system? The translation may be also intended for some undefined European audience, for which English is not a native language but is a *lingua franca* used to access texts written in languages of limited diffusion. It is more likely that an English translation will be read by a non-native rather than a native speaker of English. Would this audience prefer common law-based legal English or non-common-law based one? When it is difficult to identify the target, it may be difficult to find TL-oriented equivalents.

To sum up, unless the degree of incongruity is too large, the translator should strive to find a natural TL-equivalent or in other words a term designating a concept or institution of the target legal system having the same function as a particular concept of the source legal system. A TL-oriented equivalent allows the recipient to activate knowledge structures attached to it; it allows him/her to access the unfamiliar through the familiar.

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ДО ПИТАННЯ ПЕРЕКЛАДУ ТЕРМІНОЛОГІЇ ЄС У СЛОВАЦЬКІЙ ТА УКРАЇНСЬКІЙ МОВАХ

В повсякденному житті у різних сферах суспільного життя не можливо обійтись без термінів. Для пересічного користувача мови важко помітити різні нюанси термінології, правильно зрозуміти їх точне зна-