

# Standardizing the Measures of Assessment in Legal Translation Profession

Alalddin Al-Tarawneh\*, Wafa Abu Hatab and Mohammad Al-Badawi

Department of English and Translation, Faculty of Arts, Zarqa University, Zarqa, Jordan

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**Abstract:** Practicing legal translations may lead to shortcomings that need to be assessed and addressed. Therefore, to respond to such shortcomings and specificities emerging during the legal translation process, the paper proposes a comprehensive model to evaluate translation quality. The proposed model is built on a functionalist perspective that links legal, contextual, macro-textual, and microtextual criteria to outline an appropriate translation strategy that drives endeavors to overcome issues throughout the translation process. The same criteria persistently appear from the translation brief through to the final translation product crossing intermediate stages – reception, revision, delivery assessment. In identifying predictable evaluation criteria and competence needs for translators and quality controllers, they serve as the standard. The approach presents implications for both quality assessment and management practices, including those in training contexts. By reducing subjectivity and enhancing predictability based on specific legal translation methodologies, the model ultimately demonstrates the potential benefits. Legal Translation Studies can greatly enhance professional standards, underscored by the importance of having legal translation experts evaluate quality. This demonstrates the fundamental role of legal translation expertise.

**Keywords:** Translation adequacy, Translation quality assessment, Legal translation competence, Legal translation quality, Translation quality assurance, Translator decision-making.

## 1 Introduction

The need for quality in multilingual situations has been the driving force behind the emergence of Legal Translation Studies (LTS) and the acknowledgement of legal translation as a respected field. Widespread globalization and the creation of the European Union have also led to the emergence of legal and linguistic experts who ensure greater accuracy and quality in the translation of legal and institutional texts across languages and political systems. The importance of the field is reflected in the expansion of books and special issues on legal topics in translation studies [1]. At various points in history, memorable occurrences have shaped the translation process. The Swiss Civil Code's translation debate brought attention to this issue at the beginning of the 20th century. After World War II, the implementation of translation became integral to the new international legal order. Additionally, Canada developed a co-drafting system in the 70s to enhance the quality of their French legal documents. These notable events have contributed to the merging of professional practice, research, and training. The Geneva School of Legal Translation and Canada's School of Jurilinguistics were trailblazers in this area [2].

The field of LTS has faced many years of growth and academic consolidation; however, a significant hurdle remains in the quest for improved quality. As Levy (1965) noted during the early stages of modern Translation Studies (TS), writing about translation issues is only meaningful if it helps us understand the factors that impact a translator's work and its caliber [3]. Legal translators are faced with a myriad of challenges that have yet to be solved by quality assurance procedures, as emphasized in [2]. This fact remains valid, especially when examining the connection between the outcome of legal translations, decision-making, building competence, and LTS development [2]. Even in institutional contexts where protocols are in effect, there remains a dependence on "intuition," that plays a vital role in determining the accuracy of translation [4]. Despite the abundance of scholarly work and theories available, legal translators continue to encounter methodological complications.

For both private and public entities, as well as individuals, inadequate legal translations can be disastrous, as evidenced by various examples. Relying on professional translators for legal matters is crucial, and translating on your own can be costly. In this case, a Swiss company requested frozen chicken for baking and frying from a New York poultry wholesaler. Disagreement arose over the meaning of the word "chicken." The plaintiff believed that "chicken" only refers to broiler chicken or stir-fry vegetables, while the defendant believed that "chicken" also refers to braised poultry. Assuming that

\*Corresponding author e-mail: [aaltarawneh@zu.edu.jo](mailto:aaltarawneh@zu.edu.jo)

"chicken" means "little chicken," the plaintiff used the English word in German correspondence with the parties. German is the medium of communication between them. However, the defendant submitted that "chicken" refers to all poultry that meets the contract's weight and quality standards, including stewed chicken. Disputes could have been avoided if professional translators were involved in identifying possible terminological differences [5]. Moreover, in 1994, the possibility of a Japanese bank acquiring an American bank was reported by Commodity News Service. However, some rumors started circulating due to the report, and when it was translated into Japanese, the meaning of the word "rumors" was lost and replaced with "disclosure." This mistranslation led to the dissemination of incorrect information and caused panic among the public, resulting in a rush on foreign deposits. The Federal Reserve had to step in and perform an \$8 billion bailout of Continental Illinois, highlighting the serious consequences of having non-experts translate important texts. This situation underscores the significance of utilizing professional translation services for crucial information [6].

This has led to a widespread recognition that legal translation is a highly specialized area of professional translation that requires specialized qualifications and technical expertise. Due to the significant role that legal translation plays in ensuring legal certainty, expectations for quality in this field are high. In the professional context of translation, it's essential for scholars and practitioners alike to come together and agree on what defines quality. The translation market as a whole is split on this issue, so it's crucial that we define and measure quality in a comprehensive way. Determining the distinguishing features of quality in legal translation, identifying the relevant factors that affect it, determining who is qualified to evaluate quality markers, and, lastly, improving upon these markers must be a priority in order to advance this field.

Sections analyzing the exceptional attributes of legal translation will address the aforementioned inquiries. Specific attention will be paid to the decision-making parameters and the expertise necessary to apply them, serving as the foundation for evaluating quality. Primarily, the absence of defined benchmarks in this sector will be emphasized, following which a procedure-determined technique to gauge quality will be detailed. Consequently, the implications of this for quality assurance, assessment, and management will be discussed.

This study intends to investigate the relationship between varying degrees of legal translation ability and product excellence.

Let us take a moment to define "quality assurance" using the interpretation of Saldanha and O'Brien [7], which refers to a set of processes and systems that guarantee excellence in a given product or service and ensure its accuracy. Moving forward in this article, this definition will be our guideline, and Mateo's definition: "appropriateness of a translated text to fulfil a communicative purpose" [8]. Inevitably, as we seek to articulate the quality of translation, "appraising and often judging" becomes a necessary element of the measurement process [9]. For this particular study, it is important to note that the language used may differ from writer to writer because the process may comprise of a translator's self-revision, adjustments made by revisers, or checks and readings from other individuals who regulate quality. It should be noted that these efforts are not always applied to whole texts or employ an extensive list of evaluative factors. Through an LTS expert's perspective, the pursuit of maximum quality will encompass how lay readers and managerial needs relate, even if a fit-for-purpose translation is considered top quality from a management standpoint.

## 2 Quality Benchmarks in Legal Translation

Benchmarks that confirm the caliber of legal translations are a dire necessity. Without them, there's no way of knowing if a translated legal document is reliable or not. This is vital because even small errors or inaccuracies can have severe ramifications. Quality assessments are a must, and relying on intuition or testimonials is simply not enough. Thus, we must establish and adhere to rigorous standards when it comes to legal translations. Measuring translation quality begins by determining its exact definition, or the factors that comprise a superior translation. Indeed, dissimilar opinions concerning translation can influence the ideal concept of translational quality and therefore the method of evaluation [10]. In fact, the understanding of translation quality has undergone significant progression, it has undoubtedly one of the most discussed topics in the field. It continues to attract strong interest from various groups, from researchers and translation organizations to practitioners and translation teachers, making it an independent research field called Translation Quality Assessment (TQA) [11].

In the realm of translation studies, the 1990s saw a shift towards textual, pragmatic and functional theories in assessing quality. This transition marked a move away from focusing solely on language and towards an appreciation of communicative, cultural and situational factors. Moorkens described translation quality evaluation as a phenomenon shifting from the linguistic perspective into adopting fitness-for-purpose model [12]. Notable examples of this shift include Juliana House's rework of her own model 1997 [13], and the more pronounced functionalist views espoused by Lauscher [14] and Reiss [15] at the turn of the millennium. In the field of TS, there has been a growing focus on finding measurable standards for evaluation. Functionalism places great emphasis on the audience and purpose, which is demonstrated by the extensive overlap in translation quality assessment (TQA) in recent years, as reported by Hague and

Translation quality is a multifaceted concept that hinges mainly on "appropriateness," "adequacy," and "suitability." These ideas may seem concrete, but their interpretation rests heavily on the discretion of translators and revisers. Angelelli believes the most proficient translators can "create answers to translation quandaries," but it's challenging to confirm if these answers are really appropriate. Even with guidelines in place to measure translation prowess, objectivity remains elusive. Evaluating translation quality poses a challenge because demarcating exact limits is a daunting task. According to several sources, such as Bittner [17], the emphasis in current models for translation is biased towards literary, advertising, and journalistic translations, neglecting other instrumental translations. Faiq [18] makes it clear that the creative aspect of translating literature vastly differs from the constrictions of pragmatic translations. Thus, determining the quality of translations proves to be problematic due to the non-universal application of quality indicators across all types of translations.

The main focus of legal translation is to ensure accuracy and adequacy, and this requires a specialized approach that leaves little room for creativity or subjectivity. Built upon three foundational pillars, this approach incorporates comparative law, legal interpretation rules, and legal conditions. In fact, legal translation work involves conforming to legal sources and discourses, prioritizing legal consistency and legal certainty, rather than individual preferences. However, the methods used for assessing quality typically overlook the importance of intuition and subjective judgements, which do not align with legal translation priorities. The legal translator's duty to find appropriate solutions to legal communication issues may be hindered by negative viewpoints like the one below: "The end user's subjective stylistic preferences can alter the quality of translation, rendering accuracy absolutes and quality standardization a subjective matter" [19].

Legal translation methodology and general TQA models differ significantly in their approach to terminological decision evaluation at the microtextual level. Achieving quality in legal translation theory and practice heavily relies on the assessment of legal terminology, an important component thereof. The challenges in legal translation are encapsulated in legal terminology, and require specialized competences, such as comparative legal analysis, which makes it unique. Legal translation is complicated due to the intricacies of system-bound legal meaning and legal asymmetry, which limits the effectiveness of most traditional lexicographical resources. Rather than attempting to find a universal binary replacement, it is ill-advised to do so when it comes to translation. Unlike other translation practices, the TQA model doesn't rely on predefined solutions within its domain for form assessment, but rather prioritizes strategic adequacy as its central component.

Translation quality evaluation has encountered shortcomings in legally bound scenarios. Nonetheless, alternative approaches directed towards specific intentions have demonstrated improvement by providing categories, such as cohesive themes, language mechanics, stylistic coherence, lexicon, and others, to facilitate assessment and revision. These various taxonomies, which include both TQA and revision models, are suitable for systematic assessments concerning target language correctness and generalized literature.

Since the 1990s, quality standards for translation services, particularly for certification reasons, have quickened. For translation service providers, EN 15038:2006 [20] remains the most crucial quality standard to date, and its revision is well-known. It also requires a comparison of the source and target texts for "terminology consistency, register and style." It is recommended that revisers have experience translating in the relevant domain. Section 5.4.1 of the standard requires the translator to pay attention to a variety of factors, including terminology, grammar, phraseology, style, locale, formatting, and the target audience. Throughout the established standard, there are certain areas that lack clear guidelines for assessing the appropriateness of translation choices and the significance of translation or editing expertise. In terms of vocabulary, conformity with field-specific and customer-specific language is mandated in addition to ensuring consistency across all stages of the translation operation. However, according to Hoyle, this particular standard simply provides recommendations for ensuring accuracy, with the understanding that fulfilling quality control standards will guarantee satisfactory outcomes [21]. Thus, the focus remains on evaluating if the translation is suitable for its intended use. Notwithstanding its generally beneficial effect on the translation industry, the standard, as other research shows, does not ensure quality. All in all, the standard's impact is positive, but it is no guarantee of quality.

The American Association for Testing and Materials has issued the American Standard for Quality Assurance in Translation, also known as ATM F2575-06 [2]. It primarily focuses on managing translation services rather than evaluating product quality. While J2450 Translation Quality Metric and LISA QA Model 3.1 assess error categories related to product evaluation in the automotive and localization industries respectively, they are not applicable to quality models for legal translation.

In order for a taxonomy of evaluation criteria to be of any use in legal translation, it's necessary to have the expertise to notice inaccuracies and resolve translation issues. To truly be effective, quality models for legal translation need to factor in relevant decision-making parameters and the skills needed to implement these parameters. Evaluation should cover

both the macrotextual and microtextual levels, with particular emphasis on legal terminology to ensure quality. This is all because, like with academic models, a comprehensive approach is required to ensure precision.

### 3 An Approach to Quality Assurance in Legal Translation

To address the particular needs of legal translation and surpass the inadequate scope of generic quality methods, the ensuing method employs a distinct approach. Initially, it employs benchmarks for decision-making in legal translation to determine foreseen benchmarks for ensuring quality. Undoubtedly, the elements of the translation fitness approach serve as a widespread blueprint for tackling issues, expertise qualifications and quality evaluation. The conditions that determine the accuracy of translated content must be clearly defined in both the translation brief and the final product. It is important to ensure objectivity during self-revision and post-delivery assessments and disregard the tendency to ignore the decision-making process [22]. Analyzing and comparing source and target texts while neglecting the problem resolution techniques of the translator can hinder accuracy. Elaborating on the evaluation process and integrating the translation process could make scholarly models of TQA more practical [23].

Our comprehensive methodology responds to the demand for a translation evaluation model that can merge functionalist, contextual, textual, and macrotextual factors. Throughout the translation process, we consistently connect the parameters mentioned and combine them into evaluation of competencies and products to reach our goal. As emphasized by previous research [24], our approach provides an operative analysis model which considers the holistic aspects of decision-making. Institutional translation and other aspects of legal translation have been essential in developing the core methodological framework. This framework has been increasingly expanded since the 1990s and has yielded successful results in both problem-solving and postgraduate training contexts.

#### 3.1 The Process of Translation

Christiane Nord's "looping model" suggested blending functionalist principles with pragmatic legal translation concepts, ultimately employing adequacy as a guiding principle [25]. To attain adequacy, legal communicative variables are considered throughout the process, from defining a translation strategy to conforming to it during revision. This ensures that translation decisions align with the overall strategy. The challenge addressed is the integration of these variables into a methodological framework that suits the assortment of translation scenarios and legal text types.

Overall translation adequacy strategy is defined in the first stage through a dual process which outlines its elements.

1. Within a translation project, it is essential to analyze the communicative situation and type of translation, along with possible extratextual factors, quality expectations, and legal implications. Additionally, understanding the relationship and discrepancies between the source and target text's communicative situations is crucial. This in-depth analysis of the translation brief ensures that all requirements, whether explicit or implicit, are met while maintaining high-quality output. The translation strategy relies heavily on the *skopos*, which bring together different components to shape the TT communicative situation. It is important to note that the *skopos* cannot be analyzed independently, but instead, serves as a foundation for establishing the link between the legal functions of ST and TT and the translation's instrumental or documentary nature. For more insight, refer to Nord's [25] broad differentiation.

Considering three parameters, the translation process is macro-contextualized in a legal sense. The parameters governing the legal systems are threefold - national, supranational and international. The branches of law addressed and the conventions for legal text genres to be respected are also key components. Each parameter corresponds to different communicative conditions, specifically jurisdictional and linguistic, normative and thematic, and discursive and procedural.

At the ST analysis stage, translators explore various facets of specialized texts, including coherence, cohesion, and stylistic traits, while also spotting translation issues on a microtextual level. To fully comprehend legal jargon, it's imperative to understand the importance and specificity of legal concepts and communication norms pertinent to primary legal tasks. Referencing the same legal resources and interpretation benchmarks utilized by legal experts is vital to prevent confusion, as in cases of ambiguity.

Terminological, phraseological, and semantic issues often arise and are resolved through reformulation. To ensure accuracy and follow legal conventions in various contexts, a distinct approach is taken, including a two-stage decision-making process.

The overarching strategy of adequacy can be divided into microtextual substrategies focusing on prioritizing certain types of correspondence in inter-systemic translation [10]. This involves determining whether a more neutral, formal, or functional tone should be used when targeting the source or target systems. A variety of factors inform these decisions, including the function and relevance of specific text segments, legal restrictions such as new regulatory frameworks, and the specific needs and expectations of the intended audience when it comes to identifying and understanding system-

specific considerations. To select the superior translation technique or a blend of them, it is critical to assess the extent to which the phrasings align with the target text's microtextual preferences and its correspondence. It is critical to analyze legal and linguistic aspects comparatively so that the right decision can be made even if a particular solution is already expected or established in a certain context. The relevant macrotextual and microtextual parameters may not necessarily align with this analysis.

In the face of legal inequality, a range of techniques may be suitable depending on specific circumstances. Providing definitive statements about legal translation preferences without regard to specific situations is flawed. This applies to the use of machine translation as well. Even in simpler language scenarios, the system must examine qualitative aspects, differing levels, and legal implications in order to produce acceptable drafts. Amidst the realm of professional decision-making, our strategy is to embrace a flexible understanding of 'formulation' and 'correspondence.' This approach deviates from traditional concepts of 'equivalence' and 'equivalents,' which are often presented in dictionaries and glossaries without sufficient context or explanation.

It is crucial to note that when defining microtextual priorities, the desires and expectations of the recipient come second to the comprehensive adequacy plan. This plan includes satisfying legal accuracy and translation regulations that cater to certain legal objectives and conform to conventions of the legal genre. Legibility should not come at the cost of legal consistency when dealing with treaties or legislation, where legal certainty and legislators' expectations take precedence over stylization or the preferences of lay readers. Translating diplomas for administrative validation should prioritize neutral or conceptual phrasing for grades, such as percentages and pass marks, rather than functional phrasing that targets specific systems. This takes precedent over individual client preferences, as shown in [26].

Verification of the adequacy of the TT is carried out during the crucial revision phase. At both the macro and micro levels, the translation strategist examines all aspects. This includes assessing parameters useful for self-revision by the translator, as well as those for evaluation and revision by other quality controllers. These parameters are relevant to the legal communicative scenario.

### 3.2 Competence in Translation

Without the necessary expertise to adapt it to specific text genres and contexts, quality evaluation systems, like categorizations for translation methods, are futile. To address this, an integrated process-oriented approach has been suggested for enhancing legal translation abilities [27]. The approach blends theoretical and practical know-how into five sub-competencies linked through a key strategic or methodical competency: the capacity to determine and employ an appropriate strategy for each translation assignment while conducting legal and language-based comparative analysis that corresponds to legal communication factors. In legal translation, there are numerous sub-competencies that require a wide range of distinct elements, from awareness of legal customs, origins, and ideas to proficiency with specific legal materials and digital programs. Additionally, it demands compliance with pertinent legal guidelines for translation practices and the observance of ethical and deontological values in legal translation. Furthermore, the integrative components of legal translation consist of linguistically and formally appropriate genre conventions of the legal field in both the source and target languages and systems. All of these elements are crucial to develop a thematic and cultural sub-competence.

Comprehending legal reasoning, discourses, and interpretation rules, along with familiarity with legal sources and procedures, are vital elements required for sufficient legal translation. A translator who excels in this area should have the skill to read like a legal expert and modify translations to suit the requirements of both specialized authors and intended readers, as well as non-specialized recipients when necessary. It is critical that this translator has a broad specialization in legal translation, rather than only a single context or text category. In order for translation skills to effectively include legal themes, it is necessary to also incorporate sub-competences of comparative analysis and translation-related practices. While specializing in translating for a certain legal system can be helpful for a specific target language, it's only one aspect of the bigger picture. To ensure precise decision-making in legal translation that appeals to a worldwide audience that speaks the same language, both intra-lingual and inter-systemic comparative analyses must be carried out. Customized, high-quality translations are guaranteed through interdisciplinary profiles that meet specific qualifications. This tailored approach emphasizes process, aligning with institutional factors and the translation context.

### 3.3 The Product of Translation

By adhering to the same parameters that determine decision-making and competency, this method measures the quality of the translated product based on the adequacy of its overall strategy and microtextual priorities. Backtracking from the draft or surface of the TT and taking into account the translation brief, one can perform an assessment. To determine adequacy, both macrotextual and microtextual levels must be evaluated. Legal accuracy, consistency, and terminology are crucial components, but other factors such as punctuation, spelling, cohesion, and register are also important indicators of quality in specialized and non-specialized content.

The process of weighing each element is influenced by both the microtextual priorities and the adequacy strategy. To

illustrate this, let's examine the interpretation of an international court's verdict. Strict adherence to established terminology and formulas used in legal precedents and instruments plays a vital role in the translation strategy and evaluative criteria. When translating a prosecutor's letter of request for foreign authorities, it becomes necessary to meticulously identify the judicial bodies and criminal legislation of both the source and target systems, which calls for a microtextual approach. This focus on legal accuracy can greatly restrict the stylistic creativity in texts. Stylistic revisions are permissible for texts targeting a general audience and providing information. Nonetheless, a translator must avoid blindly clearing obscurity or vagueness present in the original text, as certain obscurities serve a purpose that's hard to replicate. To enhance a piece further, one must consider the semantic constraints alongside how faithful they are to the translation's accuracy. The strategy adopted also determines how significant the transformation is in comparison to the original text.

Assessing the quality of translated products may prove challenging when relying solely on first impressions. The fluency and readability of technical literature, for example, differ from those of other areas of expertise. Experts have to conduct an evaluation that is more specific. 'Fair average quality' in translation, as defined by Gouadec [28], refers to text that is 'correct, readable, and possibly even enjoyable to read'. On the other hand, a 'top quality' translation is one that is 'fluent, effective, highly readable, and tailored to suit its intended audience and cultural context'. In particular, such translations would improve upon the original content and optimize the form and substance to fit the needs of its specific audience. However, these standards may not necessarily translate to all professional legal translations. Top quality translations can be far from "pleasant to read" or even comparable to their originals. Instrumental translations of legal information, such as countervailing measures in trade dispute settlements, and inter-systemic translations of notarial documents, for example, those in probate proceedings, may be excellent, but not enjoyable reads. Unlike translations meant for cultural dissemination or recreational purposes, these translations shouldn't "adapt" the content from the source.

The European Commission's Directorate-General for Translation (DGT) recently organized a debate on institutional legal translation quality. The DGT believes that optimal quality is achieved when a document possesses superior legal, linguistic, and conceptual clarity. Along with this perspective, the DGT's report references an investigation they conducted on document quality control. The study concludes that the fluency of a text, characterized by its simple structure and restricted vocabulary, may impact its content assessment. Nevertheless, the report acknowledges that non-fluent texts can also be beneficial since they compel readers to stop and digest information [29]. During the debate, we argued that the efficacy and coherence of translations are dependent on the precision and caliber of the source material. This highlights the fact that the assessment of legal translation integrity, informed by Language Testing System, has not yet gained the necessary recognition from supporters of quality who endorse approaches from tangential disciplines or generalized outlooks embraced by the "translation industry". Instead, it must be based on the proper legal translation methodology and appropriate parameters.

## 4 Implications for Legal Translation Quality Assurance, Assessment and Management

Quality assurance, assessment and management in legal translation have significant implications. It is necessary to maintain a thorough assessment process to ensure high standards of quality. Management plays an important role in overseeing this process. The implications require a unique and highly attentive approach to ensure that the quality of legal translation is upheld at the highest level. Incorporating a process-focused viewpoint on excellence, quality assurance strategies and progress surveillance performed by translation service providers require precise calibration of quality improvement actions tailored to individualized requirements in two ways: initially, securing that the translation task is allocated to a translator with fitting proficiency to generate an outcome of utmost superiority, and secondly, making determinations on assessment responsibilities before delivery or after delivery evaluations performed by qualified evaluators to quantify and, if needed, elevate the appropriateness of translation choices. When making decisions, predictability allows for better tracking of translation methods. The relevance of such methods in legal communication can also be evaluated, from self-revision to quality control. Organizations seeking to improve quality would implement unique procedures and guidelines, considering constraints such as time, resources, and translator availability. In terms of quality metrics, evaluator competence, and management challenges, we will delve into the impact these procedures have on legal translation.

### 4.1 Quality Levels

When it comes to legal translation, our approach has the ability to incorporate different quality metrics systems. However, the key to making this work is making sure that these metrics adhere to our established methodology. This entails setting up consistent evaluative criteria that take into account decision-making parameters. Naturally, the evaluators of quality must be experienced enough to assess such criteria. Ultimately, the specific definition and significance of these evaluative criteria and performance levels will differ depending on the specifics of the situation, namely, the extent and aim of the evaluation. A transnational law firm may have diverse legal translation needs when screening freelance sworn translators, resulting in varying assessment priorities. When hiring or evaluating translators in a hierarchical institution that handles

specific international legal texts, the assessment requirements may vary. These parameters prove useful in translator training to prepare professionals for these contexts.

Quality measurement is an essential aspect of legal translation that can be evaluated via a template of core variables. The three broad categories that can be considered are the evaluative variables.

- Semantic accuracy in legal terms, as well as consistency in the language used, are key components.
- Legal genre conventions must be taken into account when deciding on translation accuracy, along with legal terminology and phraseology. The translation strategy should be analyzed, along with microtextual priorities, to ensure the adequacy of the decisions made. Including cohesion, syntax, punctuation, and more, general linguistic correctness is essential.

There are five grades, but there is scope to adjust these as desired and come up with different names for them. Depending on the assessment, multiple categories may be used to represent the resulting levels. For instance, a subpar translation might be classified as a level E or level 1, based on a descending scale of 5-to-1 or A-to-E respectively.

Scores in various components of evaluation must be incorporated into the general categories, with each assessment exercise being assigned a coherent weight. To accurately determine the numerical values and thresholds for each component, one must use a combination of error reduction and non-punitive approaches. Our perspective necessitates a deep review of content inaccuracies, linguistic errors, and methodological deficiencies involving legal terminology and discourse. One must carefully assess the severity and nature of these issues, even taking into account contextualized, all-encompassing solutions. This universal standard can be blended with a wide range of evaluation models to evaluate translation quality.

The degree of adequacy from an LTS point of view stays true even with the ability to adapt and select marking systems. Instead, this grants the opportunity to handle these levels in relation to a myriad of assessments and expectations. Comprehending the various levels of translation is vital in gauging the quality of the end product. Acknowledging that level 1 is a complete botch of communication and a failure in translation, level 2 might make do for non-serious interpretations but is not up to par for legal purposes. In a training milieu, level 3 would either pass or fail based on the complexity of the program, but for official certification, a trainee must understand that level 3 is inadequate. Song suggests that TQA comes down to "communication, co-operation and consent" [30]. In the setting of legal translation, the evaluators agree on a marking system, yet the core evaluation standards remain objective and straightforward, guided by shared decision-making parameters. This is a universally accepted concept.

Possible variations:

- By evaluating adequacy, we can also discern varying levels of (sub)competence in legal translation, which are intertwined with the process and product.
- Associating legal translation with process, competence, and product allows us to gauge adequacy in evaluation by considering different degrees and components of (sub)competence.
- Through the correlation between product, process, and competence, it is conceivable to distinguish varying levels of (sub)competence in legal translation. How we assess adequacy is subsequently influenced by this interplay.
- When evaluating adequacy in legal translation, we need to take into account the intertwined factors of process, competence, and product, which can indicate various levels of (sub)competence.

## 4.2 Quality Managers

According to Vlachopoulos, the enhancement of translation quality is not just a linguistic or technical issue, but also a managerial one [35]. Managers have a crucial role in establishing quality standards throughout public or private organizations that have organized translation services. They oversee the recruitment, delegation of tasks, monitoring and evaluations, training programs and communication with users or customers of translation professionals, while also considering the external factors and practical restraints, such as deadlines, remuneration and tools used, that might impact the output's workflow and quality. The application of quality management policies guarantees a cost-effective and efficient supply and demand balance, aiming to achieve the highest possible level of quality using available resources and meeting deadlines.

In light of budget and time constraints, ensuring utmost quality may not always be a realistic goal. As a result, big name translation corporations such as the OECD have adopted quality assurance protocols that involve assigning texts to multiple translators and undergoing differing degrees of review, depending on the document's significance [36]. Top-tier judicial and legislative materials, such as binding decisions and legal instruments, hold the highest position in the institutional text hierarchy. Lesser-ranked documents on legal monitoring or implementation procedures follow. In

multilingual legal surroundings, optimal translation quality means not only maintaining consistency and precision in language pairs but also achieving the most interlinguistic concordance among all authentic languages. Private groups, on the other hand, have sporadic quality control systems due to budget constraints or a focus on profits overriding quality considerations.

Top quality products require adequate translation decisions and fit-for-purpose managerial choices that meet quality needs within time and resource constraints. However, it is important to distinguish between these two decisions. Sustained quality enhancement policies require crucial evaluation of quality assessment and management practices. In small teams, translation quality managers become the sole in-house quality filter and their translation competence and managerial skills are crucial for success. While this is important across all translation branches, it is especially pertinent for those aiming to implement holistic approaches to quality.

## 5 Conclusion

Since its inception, LTS has placed a primary focus on ensuring quality in legal translation. As the translation industry becomes more segmented, there is a growing interest in demonstrating and protecting the importance of quality. However, generic methods for measuring translation quality are insufficient for the specialized requirements of legal translation. Therefore, our comprehensive approach involves considering contextual, macrotextual, and microtextual factors in decision-making as well as the necessary competence for achieving and evaluating appropriate legal translations.

To boost the dependability and impartiality of quality measurements applied to legal translations, experts' decision-making standards can be utilized. Criteria such as proper use of legal terminology, consistent legal phrasing, and sufficient legal discourse can be objectively evaluated. This enhances the ability to track and resolve errors in the translation process, from the initial definition of the translation methods to the analysis and rephrasing of the text, all the way to the final review of the product. A group of experts are responsible for ensuring the quality of legal translations, which involves assessing how well translation decisions align with the given brief and communicative situation. They rely on commonly agreed upon criteria to measure the level of adequacy, avoiding rigid views that go against the dynamic and adaptable nature of legal translation practice. Our model allows for flexibility in selecting quality components, depending on the specific context and purpose of evaluation, ranging from training to professional practice. Agreement on such a framework can mitigate the usual issues of subjectivity in the quality assurance process.

An empowering paradigm of legal translation is presented through the use of a holistic surgical approach. These challenges the simplistic views of translation quality held by non-expert parties. To achieve this, legal translation variables must be systematized, and partial quality assurance practices must be questioned. We could benefit from agreeing on a complete quality benchmark corresponding to product, process, and competence, comparable to the Common European Framework of Reference for Languages. However, due to the complexities at hand, developing a metric standard for professional accreditation and training program evaluation based on real quality evidence may be difficult to achieve, and contrasts with the optimistic views put forth in the EN 15038:2006 standards and parallel training initiatives.

The topic of quality grades and certification in translation services remains a delicate matter, as there is still a wide variety of approaches and expectations, and not all services meet high standards. Unlike assigning energy efficiency labels, quality control in translation is less straightforward. However, there is hope that by proposing reliable methodologies and measuring their effectiveness, Language Technology Solutions (LTS) can help raise the bar for quality standards and be more relevant to professional practice. This would be particularly important in contexts where quality is genuinely valued, further enhancing the importance of LTS.

## Conflict of interest

The authors declare that there is no conflict regarding the publication of this paper.

## References

- [1] H. Kockaert, K. Leuven and N. Rahab, "Introduction: Quality in legal translation," *The Journal of Specialised Translation*, vol. 27, no. 1, pp. 2-9, 2017.
- [2] F. Prieto Ramos, "Quality assurance in legal translation: Evaluating process, competence and product in the pursuit of adequacy," *International Journal for the Semiotics of Law-Revue internationale de Sémiotique juridique*, vol. 28, no. 1, pp. 11-30, 2015.
- [3] J. Levy, "Will translation theory be of use to translators?," in *Übersetzen: Vorträge und Beiträge vom Internationalen Kongreß literarischer Übersetzer in Hamburg, Frankfurt, Athenäum, 1965*, pp. 77-82.
- [4] M. Mirzayeva, "THE IMPORTANCE OF EMPIRICAL RESEARCH AND DATA-DRIVEN APPROACH IN



- CORPUS-BASED TRANSLATION STUDIES (CTS)," *Journal of Social Research in Uzbekistan*, vol. 3, no. 3, pp. 28-32, 2023.
- [5] S. Emanuel, *Emanuel Law Outlines for Contracts, California*: Aspen Publishing, 2023.
- [6] A. Fight, *Understanding International Bank Risk*, Sussex: John Wiley & Sons., 2003.
- [7] G. Saldanha and. S. O'Brien, *Research methodologies in translation studies*, Manchester: St. Jerome Publishing, 2013.
- [8] R. M. Mateo, "A deeper look into metrics for translation quality assessment (TQA):: a case study," *Miscelánea: A Journal of English and American Studies*, vol. 49, no. 1, pp. 73-94, 2014.
- [9] C. Maier, "Introduction," *The Translator*, vol. 6, no. 2, pp. 137-148, 2000.
- [10] F. P. Ramos, "Quality Assurance in Legal Translation: Evaluating," *International Journal for the Semiotics of Law- Revue internationale de Sémiotique juridique*, vol. 28, no. 1, pp. 11-30, 2015.
- [11] A. Secară, "Translation evaluation: A state of the art survey," in *Proceedings of the eCoLoRe/MeLLANGE Workshop*, Leeds, 2005.
- [12] J. Moorkens, "Introduction," in *Translation Quality Assessment: From Principles to Practice*, F. Gaspari, J. Moorkens and S. Castilho, Eds., Cham, Springer International Publishing, 2018, pp. 1-6.
- [13] H. Juliane, *A Model for translation quality assessment*, Tu"bingen: Gunter Narr Verlag, 1997.
- [14] S. Lauscher, "Translation quality assessment: Where can theory and practice meet?," *The Translator*, vol. 6, no. 2, pp. 149-168, 2000.
- [15] K. Reiss, *Translation criticism: The potentials and limitations: Categories and criteria for translation quality assessment*, Manchester: St. Jerome Publishing, 2000.
- [16] D. Hague, A. Melby and W. Zheng, "Surveying translation quality assessment.," *The Interpreter and Translator Trainer*, vol. 5, no. 2, p. 243-267, 2011.
- [17] A. N. P. o. T. Q. Assessment, *Evaluating the Evaluator.*, New York: :Taylor & Francis, 2019.
- [18] S. Faiq, *Arabic Translation Across Discourses*, New York: Taylor & Francis, 2019.
- [19] O. Molnár, "Source Text Quality in the Translation Process," *Trends and Tradition in Trans-language Communication*, vol. 5, no. 1, pp. 59-86., 2013.
- [20] E. C. f. Standardization, *EN 15038:2006 Translation services – Service*, Brussels: CEN, 2006.
- [21] D. Hoyle, *ISO 9000 Quality Systems Handbook-updated for the ISO 9001: 2015 standard: Increasing the Quality of an Organization's Outputs*, London: Routledge, 2017.
- [22] C. Walker, *Translation project management*, London: Taylor & Francis, 2022.
- [23] A. H. Ahmed and O. A. Shihab, "An Assessment of Translating Rhetorical Devices in King Abdullah II's Political Speeches into English: Metonymic Expressions as a Case Study," *Integrated Journal for Research in Arts and Humanities*, vol. 3, no. 4, pp. 200-217, 2023.
- [24] S. Liu, H. Xiaojun, F. Chan and Z. Wang, "An extended multi-criteria group decision-making method with psychological factors and bidirectional influence relation for emergency medical supplier selection," *Expert Systems with Applications*, vol. 20, no. 2, pp. 117-414, 2022.
- [25] C. Nord, *Text analysis in translation: Theory, methodology, and didactic application of a model for translation-oriented text analysis*, Amsterdam/Atlanta: Rodopi, 1991.
- [26] M. R. Asensio, *Translating official documents*, London: Routledge, 2014.
- [27] C. Way, "Structuring a legal translation course: A framework for decision-making in legal translator training," in *The Ashgate handbook of legal translation*, London , Routledge, 2016, pp. 135-152.
- [28] D. Gouadec, "Quality in Translation," in *Handbook of translation studies*, vol. 1, Y. Gambier and L. van Doorslaer, Eds., Amsterdam/Philadelphia, John Benjamins, 2010, p. 270-275.
- [29] DGT, "Report on the third translation studies day," 2013. [Online]. Available: <http://ec.europa.eu/dgs/translation/>. [Accessed 5 January 2022].

- 
- [30] W. A. N. G. Jun-song, "Translation quality assessment: Bridge the gap between theory and practice," *Journal of Literature and Art Studies*, vol. 7, no. 10, pp. 1701-1706, 2017.
- [31] C. Quinci, *Translation Competence: Theory, Research and Practice*, New York: Taylor & Francis, 2023.
- [32] B. Mossop, *Revising and Editing for Translators*, New York: Taylor & Francis, 2019.
- [33] D. Kelly, *A handbook for translator trainers*, Routledge: London, 2014.
- [34] S. e. a. Hale, "Improvements to NAATI testing: Development of a conceptual overview," 2012.
- [35] G. Vlachopoulos, "Translation, quality and service at the European commission," in *CIUTI-Forum 2008 (enhancing translation quality: Ways, means, methods*, M. Forstner, H. Lee-Jahnke and P. A. Schmitt, Eds., Austria, Peter Lang, 2009, pp. 15-22.
- [36] V. Kis, "Quality assurance in tertiary education: Current practices in OECD countries and a literature review on potential effects," *Tertiary Review: A contribution to the OECD thematic review of tertiary education*, vol. 14, no. 9, pp. 1-47, 2005.