

# Beyond The Confines Of Literality: A Functionalist Approach To The Sworn Translation Of Legal Documents

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**Abstract:** The sworn translation of legal documents in Spain has been traditionally linked to strategies characterised by literality as the prevailing approach to professional “fidelity” requirements. The uncritical adoption of literal techniques, however, may undermine the multi-faceted role played by the translator as a mediator in intercultural communication acts. Functionalist theories can help to determine the boundaries within or beyond which translators can fulfil such a role when producing and certifying “faithful renderings” of legal documents. This is illustrated by a case study on the sworn translation of Spanish legal summonses into English. The different stages of the translation process are briefly described following a circular model similar to Nord’s (1991) looping paradigm. Emphasis is put on the definition of the *skopos*, the general features observed in the textual analysis of a representative corpus, and the strategies which may be applied in the solution of some potential translation problems.

**Keywords:** Sworn translation - *skopos* - judicial summonses - literality.

**Palabras clave:** Traducción jurada - *skopos* - citaciones judiciales - literalidad.

## Introduction

The aim of this article is to examine how the concept of *skopos* can guide decision-making in the sworn translation of legal documents. In the first section, the limitations of literal-traditional approaches will be discussed and the applicability of *skopos* theory defended. The latter will be then illustrated by a case study on the translation of Spanish legal summonses into English. The scrutiny of this kind of specific corpus can allow us to better contextualise features and difficulties in the description of the translation process. Nonetheless, the methodology presented here can be fruitfully applied in the translation of many other legal text typologies. In this regard, the present research purports to contribute to a broader reflection on the mediating role of the sworn translator (and the legal translator in general) from a functionalist perspective.

## Literal versus functionalist approaches to sworn legal translation

Spanish sworn translators (officially called *intérpretes jurados*) are accredited by the Spanish Ministry of Foreign Affairs to certify “full and faithful” translations, as specified

**Resumen:** La traducción jurada de documentos judiciales se ha asociado tradicionalmente con estrategias en las que prima la literalidad como aproximación supuestamente adecuada a las exigencias profesionales de «fidelidad». No obstante, la adopción de procedimientos literales sin el suficiente criterio crítico puede socavar el complejo papel del traductor en los actos de comunicación intercultural en los que interviene como mediador. Las teorías funcionalistas pueden ayudar a delimitar el marco en el que desempeñar esa tarea en cada caso, sin dejar de cumplir los requisitos de «fidelidad» que conlleva toda traducción jurada. Tal aproximación se ilustra mediante la breve descripción de un supuesto de traducción de citaciones judiciales al inglés, siguiendo un modelo circular del proceso translatoivo similar al propuesto por Nord (1991). Se presta especial atención a la definición del *skopos*, los rasgos generales observados en el análisis de un corpus representativo y los procedimientos aplicables en la resolución de algunos problemas potenciales de traducción.

by their mandatory certifying formula (see sample translation in Appendix). No other specifications or code of practice (apart from certain administrative requirements) are provided after their accreditation. This is based on the assumption that these translators have the competence necessary to achieve professional standards of accuracy and “faithfulness” in legal and economic translation<sup>1</sup>. Conditions of acceptability are tacitly shaped by the authorities which normally act as final recipients of sworn translations. Although such conditions seem to be far from clear or consistent, conventional practices must adapt to them if certified translations are to be “successful”.

The only attempts to establish a common code of conduct have been made by private organisations, especially by APETI (Spanish Association of Professional Translators and Interpreters), which proposed some guidelines for sworn translators in 1992. These included useful recom-

<sup>1</sup> This competence is tested through a written examination or recognised as having been acquired after completion of specialised undergraduate training at primary level. It must be noted, however, that sworn translation is not restricted to legal and economic texts, i.e. it is not bound to any subject or text typology.

mentations in relation to formal<sup>2</sup> and deontological questions, with a view to standardising practices in the area. Nonetheless, since these guidelines were framed by the vagueness of official “fidelity” requirements, they could only point to some indicative suggestions on how to tackle a few typical problems, rather than setting out any global translational strategy or precise translation methods. The sworn TT<sup>3</sup> is defined as a “full, clear and faithful version” of the ST produced by those accredited to do so from and into the relevant TL-SL pair (see APETI, 1992). “Integrity” refers to the obligation to translate the whole ST, avoiding any omission or addition of information in the TT. “Clarity” is conventionally linked to “clear or good style”, i.e. use of linguistic forms which facilitate rather than obscure understanding. Both integrity and clarity can be subsumed under the broader notion of “fidelity”. For APETI (1992), a sworn translation is faithful when its “form, style and content” are equivalent to those of the ST. We are therefore referred to the controversial and ambiguous concept of equivalence in translation.

The above parameters have been traditionally linked to translation methods in which the TT is supposed to remain as close to the original as possible (formal equivalence) in order to preserve its meaning (semantic equivalence), what Nord (1997, 47-48) calls “documentary forms of translation”. This kind of approach often leads to literalisms which may obscure style, undermine textual coherence, and thus hinder comprehension. If literalism is embraced uncritically, we may indeed fail to be “loyal” to the intrinsic communicative nature of any translational interaction, whether or not this takes place under the conditions of sworn translation.

In modern translation theory, fidelity and accuracy are primarily about rendering a “true” account of the original text in the TL according to the intended purpose of the TT in the target communicative situation. This obviously entails considerations about the multiple factors which frame the translation process and make “faithfulness” a dynamic and complex concept. The translation of legal documents, in particular, constitutes a transfer of meaning in which translators do not simply translate words but mediate between legal cultures (see Sarcevic, 1997). Ignoring such intercultural dimension by simply imitating ST fragments in the TT as a general practice would be against the principle of “true faithfulness” and hence against the very es-

sence of translation. The multi-faceted conception of fidelity is not bound to any particular method, and may only be acknowledged by the application of multiple strategies depending on the situation. This is also the case in sworn translation assignments. Different methods may be valid within the limits of acceptability conventions, i.e. several “full and faithful” renderings may be acceptable. Sworn translators must have the ability to measure the various factors shaping their expected faithfulness, and discern the best way possible to accommodate them without neglecting the intercultural dimension of their intervention<sup>4</sup>.

Decisions within this approach must be based on solid theoretical and methodological foundations, such as those provided by functionalism. For the purpose of this study, I shall draw on the functionalist theory formulated by Christiane Nord (1991, 1997). In this model, the *skopos*, i.e. the purpose of the overall translational action, is regarded as the prime factor guiding the entire translation process. The “*skopos* rule” is observed by creating a TT which functions in the situation for which it is intended and meets the needs of those who are using it. The *skopos* will be thus determined in each case by the factors which describe the communicative situation (TT function(s), TT receiver(s), place and time of reception, etc.). This information may be explicit or implicitly provided by the initiator of the translation process (ST author, TT final receiver or any third party), or may be often inferred from the ST itself.

In the case of sworn translation, the core of the *skopos* is given by the “prescriptive translational instructions” implicitly dictated by the translator’s role as a kind of “linguist-notary public”, i.e. focus on the ST-SC pole as primary yardstick of the correctness and accuracy of the “full and faithful” TTs to which they swear. As already mentioned, this should not exclude other considerations contributing precisely to “true faithfulness”; the cultural reference systems on which ST and TT meaning-building processes rest and the specific communicative situation framing the transfer of meaning must also shape the *skopos* of any sworn translation.

In this model, equivalence requirements are subordinated to the concept of “adequacy” or appropriateness with regard to the *skopos*. Adequacy “functionalises” the dynamic perception of “fidelity” referred to above, involving both “faithfulness” to the original text (fidelity as intertextual coherence) and “loyalty” to the communicative situation (TT intratextual coherence or fidelity to the interpersonal dimension of translational interaction) (Nord, 1991, 24; 1997, 32, 125). The overall goal of adequacy may thus

<sup>2</sup> For instance, lay-out details, official formula, description of paralinguistic elements and inclusion of comments between square brackets. Decisions on these formal aspects are not always free from controversy.

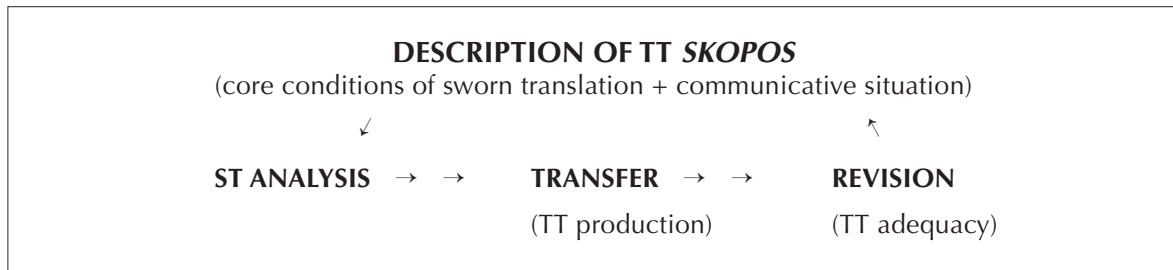
<sup>3</sup> Abbreviations used: SC (source culture), SL (source language), ST (source text), TC (target culture), TL (target language), TT (target text), LEC (*Ley de Enjuiciamiento Civil* or Spanish Code of Civil Procedure), LECr (*Ley de Enjuiciamiento Criminal* or Spanish Code of Criminal Procedure).

<sup>4</sup> As Mayoral (1999) has noted, the conflicting “fidelities” which influence the sworn translator’s work often lead to intricate deontological dilemmas.

justify the use of a variety of strategies in different translation situations. When various options are valid, it will be the translator's interpretation of the *skopos* and her or his personal preferences which will ultimately guide specific decisions.

The application of this methodology in the translation of Spanish summonses will be further informed by Franzoni's (1996) and Sarcevic's (1997) legal translation theories, and by the practical suggestions made by Mayoral and

Muñoz (1997) for the translation of "culture-specific text segments". In my view, all these models can enrich the general functionalist framework adopted, and can help to illuminate our decisions in relation to the sub-*skopos* of particular discourse fragments. In the case study presented below, the different stages of the translation process are integrated into a circular model adapted from Nord's (1991, 32-35) "looping" paradigm, in which the starting point is the definition of the *skopos*.



### The translation of Spanish summonses: corpus and *skopos*

In order to explore some of the difficulties typically encountered in the sworn translation of Spanish legal documents, it was decided to concentrate on a particular representative genre: judicial summonses. A corpus of texts was gathered under this name according to functional criteria. All of them were issued for one or more of the following purposes:

- *Citar*, i.e. to require the addressee to appear in court at a certain date, time and place stated in the document;
- *Emplazar*, i.e. to direct the addressee to take some legal course of action within a specified period of time;
- *Requerir*, i.e. to order the addressee to do or refrain from doing something, e.g. make a payment or provide some evidence.

As established in the LEC (ss. 260-283) and the LECr (ss. 166-182)<sup>5</sup>, judicial notifications with such purposes can take different forms, these being usually specific summonses (*cédulas de citación, emplazamiento o requerimiento*), or copies of the court orders (*providencias o propuestas de providencia*) requesting the said notifica-

tions. The multiple sample documents compiled cover all these forms and correspond to different legal proceedings, especially to the most varied and common civil actions.

In our translation hypothesis, English speakers are summonsed by a Spanish court and a sworn translation is requested of the document with which they are served. This case, which falls within the scope of the Spanish sworn translator's duties, raises interesting questions from a functionalist perspective. The final recipient is not a Spanish authority, official body or representative, but the person actually summonsed. This means that the main appellative function of the ST must be maintained in the TT. It becomes thus clear at this early stage that we are not aiming at a literal or documentary translation with a metatextual function, but at an instrumental and equifunctional one in functionalist terms (see Nord, 1997, 47-52). In order for the intended communication act to be effective, attention must be paid to the time specifications and legal details included in the document, favouring the comprehension of concepts and procedures, as well as the identification of judicial institutions. We must also bear in mind the peculiarities of the Anglophone legal culture into which we are translating<sup>6</sup>, even if these will not frequently become apparent on the TT surface due to our primary focus on the SC.

<sup>5</sup> In this study, the interpretation of documents has been based on those acts regulating Spanish legal procedure until the end of 2000, without giving account of the implications of the new LEC (applicable as of January, 2001).

<sup>6</sup> Unless otherwise specified, the English legal system is assumed here as the TC on which the person summonsed (Mrs M.C.J. in the case of the sample translation) draws in her interpretation.

These elements must be integrated, along with the common core of sworn translation conditions, into a general *skopos* to which any adequate TT must conform under the situation described above. The TT should:

- Comply with the formal requirements of sworn translation, viz.: inclusion of all ST content elements, official formula, description of paralinguistic information, translator's comments between square brackets;
- Fulfil the same function(s) and have essentially the same effects as those of the ST;
- Facilitate the identification and understanding of the relevant SC judicial institutions and legal parameters referred to in the ST;
- Achieve "stylistic clarity or faithfulness" by possibly following the basic TC legal discourse and text typology conventions which may be deemed appropriate to enhance comprehension, without departing from the ST content.

Other elements must be added to these components depending on the specific target situation and the sub-*skopos* of each particular text fragment. Once our *skopos* has been sketched out, it could be interesting to verify how this would change for other situations in which sworn translations of the original summonses could be needed. The texts created by the translator and even the deontological implications of his or her work may differ, for instance, in the following cases: the addressee (Canadian client living in England) receives the summons one day before the deadline set to take an action, in default of which he could face serious penalties; the translation is subsequently needed as evidence in a different criminal case in Scotland; an employer in Ireland requests the translation to verify the reasons for the addressee's absence from work during a court hearing, which the latter did not attend but claimed to have attended using the summons as supporting evidence. Reflection on how the different purposes of the TTs may affect our decisions in the three cases can serve to underpin the general applicability of the methodology presented here.

## Text analysis

After determining the translation *skopos*, we must concentrate on the analysis of the ST. In line with Nord's (1991) translation-oriented model, this will comprise various intra-textual and extratextual factors: sender, recipient, intention, functions, structure, time of communication, etc. Let us focus on some of the most relevant patterns which emerged from the analysis.

As prescribed by the LEC, all summonses include the following basic elements:

- Identification of the court;
- Description of the case;
- Identification of the person summonsed;
- Cause of the notification;
- Action or conduct to be adopted and place and time framework to do so;
- Measures to be taken if the person summonsed fails to act as requested;
- Place and date of issue, signature and official stamp.

The semantic interrelationships built around this macro-structure make summonses coherent. Nonetheless, the typical use of long phrases often blurs the connection between textual elements and hampers comprehension. The most frequent cohesive resources are conjunctions and participles introducing attribute clauses, as well as anaphoric and cataphoric devices (e.g. pronouns, synonyms and determiners such as *el mismo*, *dicha*, *la referida*, *tales*) employed to avoid repetition, which is conventionally associated with bad style in Spanish. As in the case of internal coherence, cohesion becomes distorted when long adjuncts separate these elements from the textual segments they are supposed to connect. The summons reproduced below illustrates such distortions (see ST in Appendix). The formal and semantic intertwining among its units is indicated with numbers.

### CÉDULA DE EMPLAZAMIENTO (1)

En virtud de lo (\*) acordado por resolución (2) de esta fecha (10), dictada (2) en los autos (3) de Juicio de Cognición anotados (3) al margen, seguidos (3) a instancia de la Comunidad de Propietarios de la C/ Gran Vía X de Granada (4), representada (4) por la Procuradora Sra. I.S.P., contra (3) Doña F.J.S. (5), hoy fallecida (5), quien (5) ha estado representada por el Procurador Don R.G.V., en reclamación de (3) la suma de 628.314 pts, por medio de la presente (1) se notifica (\*) a Vd (6), como Heredero al parecer (6), de dicha finada (5), que el referido proceso (3) se halla concluso (7) para sentencia, por lo (7) que se le (6) requiere, para que, en su caso, y dentro del término de NUEVE DÍAS, se persone (6-8) en autos (3) por sí (6) o por medio de procurador y dirigido (6) por letrado, bajo apercibimiento de que al no hacerlo (8) seguirá el juicio su curso y en su (6) rebeldía.

Y para que sirva (1) de notificación y requerimiento en forma a Doña M.C.J. (6) con domicilio en Camino de Ronda n.º X Granada, expido (9) la presente (1) en Granada, a quince de febrero de mil novecientos noventa y cinco (10).-

EL SECRETARIO JUDICIAL (9).-

As to their lexical and stylistic features, summonses constitute a prime example of Spanish legal usage (see e.g. Calvo Ramos, 1980). A formal and impersonal register is adopted which purports to convey objectivity, impartiality and precision in the enforcement of the law. Sometimes very short summonses encapsulate a myriad of legal discourse conventions, such as: frozen formulas (e.g. *bajo apercibimiento de...*), specialised legal terms (see next section), euphemisms (e.g. *finada, fallecida*), frequent passive constructions, archaic usage of the future subjunctive (e.g. *los perjuicios a que hubiere lugar en derecho*), prepositional phrases (e.g. *en virtud de, en reclamación de*), all of them usually inserted in lengthy chains of convoluted sentences.

It must be thus concluded that genre conventions shape both the content and style of summonses, and the expected impact of linguistic forms on their recipients. In the light of these findings, it is convenient to examine the main features of the TC text typology which fulfils the same or similar functions as the original corpus in the SC. In fact, the analysis of parallel texts can play a paramount role in our search for "stylistic adequacy". After consulting a wide range of English summonses, it was confirmed that this genre also conforms to the conventions which characterise legal English (see e.g. Alcaraz Varó, 1998), viz.: long sentences, established formulas (e.g. *within ... days after the service of this summons on you, take notice that in default of your so doing...*), modal verb forms, archaic adverbs (e.g. *therein, herewith*), prepositional adjuncts (e.g. *in accordance with, on the application of*), etc. However, the distance between the discourse used in English summonses and the common linguistic practices of their recipients is not normally as great as in Spanish. Their content is usually more informative and their formal style tends to be more concise and less impersonal. This is especially the case in summonses issued by *County Courts*, which often follow Plain English patterns<sup>7</sup>. Given our *skopos*, we cannot use these as models to apply radical changes to the ST during transfer. We must rather take a "prudent" line considering only the structural and stylistic con-

ventions of those parallel texts which adopt the same register and have the same (or similar) effect as the ST.

Apart from parallel texts, many other sources may have to be consulted during the analysis of the ST and the rest of the translation process. SC and TC legal codes, specialised dictionaries and monographs, for instance, can also help us to understand the legal implications of summonses within the relevant proceedings, and enable us to better tackle the transfer of meaning into the TL.

### Transfer and revision

The pragmatic analysis of our translation unit (i.e. the ST) in accordance with the *skopos* will have already elicited the problems which must be addressed during the phase of transfer. In legal translation, the primary concern in this process is usually **terminology**. Legal terms embody the incongruous structures, traditions and knowledge organisation of diverse legal systems. Such conceptual incongruity often originates numerous terminological dilemmas in the translator's search for equivalence (see Sarcevic, 1997, 231-234). The more different the legal cultures are, the more complex these dilemmas may become.

In the case of Spanish summonses, five groups of specialised terms were identified with a view to systematically approaching terminological problems<sup>8</sup>: legal documents, courts and judicial institutions, legal and judicial staff, legal proceedings, and other legal terms. Once these terms and their potential equivalents in the TC are duly scrutinised, the translation technique to be applied in each case is determined by the *skopos* and the sub-*skopos* guiding our decisions, what Mayoral and Muñoz (1997) relate to "focus" and "emphasis". For instance, in the translation of court names, "emphasis" must be put on their identification and we must "focus" on the SC. Our solution should allow the person summonsed to identify the court in which s/he has to appear, hence functional equivalents are not an option. It would be against the *skopos*, for example, to translate *Juzgado de Primera Instancia* as "County

<sup>7</sup> This trend has been reinforced after the introduction of the Civil Procedure Rules 1998.

<sup>8</sup> For a more thorough account of these problems, see Prieto Ramos (1998).

Court” or “High Court of Justice”. Instead, it would be adequate to use more neutral formulations which may convey the meaning of the ST term without marking the target segment with SC-specific legal concepts, e.g. “First Instance Civil Court” in the previous example. Other alternatives include the combination of borrowing and non-literal semantic translation, e.g. *Juzgado de lo Social* → “Juzgado de lo Social [Court for Social Matters]”.

Likewise, in the translation of the different names of legal proceedings, comprehension and identification must be prioritised. After drawing any possible functional parallels between SC and TC terms, we must opt for renderings which help to understand the legal implications of the case in which the addressee is involved, rather than making any explicit reference to how the same action would be conducted in the TC. To this end, we may resort to morphological or cognate translations, conceptual formulations and even borrowings, which could be in turn combined with some brief amplification. For instance, *juicio de mayor cuantía* could be translated as “major claim proceedings [in Spain, cases where the sums involved were over 160 million pesetas]”.

This kind of strategy would not be necessary when referring to the different types of legal practitioners. In this case, emphasis should be placed on the function rather than the formal identification of the SC segment. We could accordingly establish functional correlates between the Spanish *letrado* and the English counsel or between *procurador* and solicitor. These equivalents would convey the basic meaning of the ST terms and would have a similar effect on the reader. According to the sub-*skopos*, it would be irrelevant to pinpoint how the duties of these practitioners differ.

During the transfer of lexical items we must be aware of:

- False friends, e.g. the status of the English magistrate is similar to that of the Spanish *juez de paz*, and must be differentiated from *magistrado* (senior judge in the Spanish system);
- Differences between the target legal systems, e.g. the equivalent of the document formalising the *demanda* in Spain would be “complaint” in the USA and “statement of claim” or “particulars of claim” in England, Wales or Ireland;
- Polysemic terms, e.g. *autos* can refer to the legal steps followed in court (i.e. proceedings, action or case) or to the actual records kept by a court (i.e. court file).

The **production of the TT** also involves looking at other important aspects, e.g.: style, structure, paralinguistic elements, potential ambiguity of ST fragments, etc. As highlighted above, the creation of the TT should be guided by authenticity, accuracy, coherence and informativity. In other words, we must be able to create texts which reflect the

same degree of formalism as the original, yet adopting a “clear style”. This will entail conforming to the patterns of English legal usage, as well as to certain genre conventions observed in the analysis of parallel texts (see above). The fragments where these features appear should not necessarily coincide in ST and TT, as long as their overall style and effect are “equivalent”. For instance, in the translation provided (see Appendix), the typical phrase “take notice that, in default of your so doing...” replaces in the TT the equally well-established SL formula *bajo apercebimiento de...* Local stylistic equivalence is not maintained to the same degree e.g. in the translation of the second paragraph, but this is compensated for by the reproduction of conventional TL phraseology in other parts of the text. For example, the expression “after the service of this summons on you”, which is quite common in English summonses and remains implicit in the ST, can be made explicit between square brackets in order to enhance the informativity and stylistic adequacy of the TT.

For the same purpose, syntactic complexity can be partially remedied by dividing excessively long sentences into shorter clauses properly linked as in the sample translation. In this case, it was also decided to take certain descriptive specifications from the main (endless) sentence in the ST, and place them separately at the top of the TT. This move, which is based on the conventional structure of many TC (and SC) summonses, certainly makes understanding easier.

All these suggestions show that we cannot predetermine the validity of specific transfer strategies for different fragments within a text. Nonetheless, the consistent use of functionalist arguments by the translator and her or his expertise and common sense will help to develop hierarchies of techniques which tend to prove acceptable and adequate for particular problems and text-types. In each translation assignment, both adequacy and acceptability must be verified during the scrupulous **revision** of the TT at the final stage of the translational process. Whenever the text does not accord with the *skopos*, we should go back in the circular model and tackle all potential “deficiencies” until our final version is satisfactory.

### Concluding remarks

By way of conclusion, I shall reiterate the applicability and usefulness of functionalism in the sworn translation of legal documents. The traditional approach which makes “fidelity” coterminous with literalism and SC pole is rather simplistic and can hamper the essential communicative nature of translational interaction. Methodological models such as Nord’s *skopos* theory can provide the necessary rationale for moving beyond this kind of determinism in the light of the multiple facets of “true fidelity”. The universal

validity of this theory is based on a broad and flexible notion of *skopos* which can justify decisions ranging from word-for-word translations to free text adaptations. In the case of sworn translation, established, conceptual, neutral and morphological formulations centred on the ST-SC pole normally take priority over functional renderings, due to the core conditions of authenticity and accuracy. Nonetheless, these should not imply imitating original segments uncritically or ruling out, for instance, alternative hybrid combinations, information explicitations or stylistic and structural adaptations whenever these are justified by the communicative components of the sub-*skopos*. As illustrated in the translation of Spanish summonses, the application of such techniques must be carefully measured and well argued with a view to creating “adequate” texts, i.e. sworn translations which are faithful to the prescriptive focus on ST and SC, as well as loyal to the communicative situations in which they must function. In the absence of any proper official guidance, sworn translators can challenge traditional practices and conventional acceptability criteria by adhering to this kind of approach.

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ADMINISTRACION  
DE JUSTICIA

JUZGADO DE 1ª INSTANCIA

NUMERO DOCE

GRANADA

CEDULA DE EMPLAZAMIENTO.-

Autos núm.  
/94

En virtud de lo acordado por resolución de esta fecha, dictada en los autos de Juicio de Cognición anotados al margen, seguidos a instancia de Comunidad de Propietarios de la C/ Gran Vía de Granada, representada por la Procuradora Sra. I S F, contra Doña F J S, hoy fallecida, quien ha estado representada por el Procurador Don R G V R, en reclamación de la suma de 628.314 pts, por medio de la presente se notifica a Vd, como Heredero al parecer, de dicha finada, que el referido proceso se halla concluido para sentencia, por lo que se le requiere, para que, en su caso, y dentro del término de NUEVE DIAS, se persone en autos por sí o por medio de procurador y dirigido por letrado, bajo apercibimiento de que al no hacerlo seguirá el juicio su curso y en su rebeldía.

Y para que sirva de notificación y requerimiento en forma a Don NA M C J con domicilio en Camino de Ronda nº Granada

expido la presente en Granada, a quince de Febrero de mil novecientos noventa y cinco.-

EL SECRETARIO JUDICIAL.





I, **Fernando PRIETO RAMOS**, in my capacity as sworn translator authorised by the Spanish Ministry of Foreign Affairs to translate official documents from and into the English language, do hereby certify that the following is a true and faithful rendering of a summons submitted to me in Spanish by **M.C.J.**:

«[In the top left-hand margin there appears the Spanish coat of arms below which it reads:] OFFICE FOR ADMINISTRATION OF JUSTICE.

**FIRST INSTANCE CIVIL COURT NUMBER TWELVE.**

**GRANADA [SPAIN].**

**Court File No. X/94.** Cognisance proceedings [in Spain, cases where the sums involved are between 80,000 and 800,000 pesetas].

**PLAINTIFF:** ASSOCIATION OF OWNERS OF APARTMENTS IN GRAN VÍA X IN GRANADA

**Solicitor:** Mrs I.S.P.

**DEFENDANT:** Mrs F.J.S.

**Solicitor:** Mr R.G.V.R.

**SUMMONS.**

In compliance with the court order issued on the date indicated below, in the course of the above-mentioned proceedings brought against the defendant, now deceased, by the plaintiff for the amount of 628,314 pesetas; you, as heir apparent of the said deceased, are hereby informed that the proceedings are being brought to a close and the corresponding judgement is to be entered. You are therefore required to appear in the above action either in person or represented by solicitor, and assisted by counsel, within NINE DAYS [after the service of this summons on you]. Take notice that, in default of your so doing, the proceedings will continue in your absence.

I issue this summons to be served on **Mrs M.C.J.**, with residence in **Camino de Ronda, X, Granada.**

In Granada, this fifteenth day of February, nineteen ninety-five.

THE COURT REGISTRAR: [illegible signature].

[Seal]

[There appears a round ink stamp with an emblem in the middle around which it reads:] JUDICIAL PUBLIC ATTESTATION. OFFICE OF THE FIRST INSTANCE CIVIL COURT NO. 12. GRANADA».

This translation appears on two pages, numbered 1 and 2, each of which carries my signature and seal.

Witness my hand, this 19th day of February, 1995.

D. Fernando PRIETO RAMOS, Intérprete Jurado de inglés, certifica que la que antecede es traducción fiel y completa al inglés de un documento redactado en español.

En Granada, a 19 de febrero de 1995.

[Seal]

Signed: **Fernando PRIETO RAMOS**