Teaching the Use of *ad hoc* Corpora in the Translation of Legal Texts into the Second Language

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Abstract. *Translating legal texts is usually perceived as being daunting by Translation students, who normally lack legal training, and it becomes even more intimidating when legal texts must be rendered in the second language. However, translator trainees must be equipped with the skills required to successfully translate legal texts into their second language and subsequently meet this real market demand. Most legal translator training programmes seem to particularly focus on the development of thematic competence, with Law-related elements playing an outsized role and other abilities, such as technological competence, being downplayed. In this article, it is our purpose to highlight how* ad hoc *monolingual corpora can be useful for those who engage in the translation of specialised, legal texts into their second language, especially as corpora help retrieve phraseological and discursive information on which to base translation decisions in a more informed manner.*

Keywords: Monolingual corpora, legal translation, translation into L2.

Resumo. *Traduzir textos jurídicos costuma ser uma tarefa assustadora para estudantes de tradução, que normalmente não possuem formação jurídica adequada, tornando-se ainda mais intimidante quando se trata da tradução para a segunda língua. No entanto, os tradutores em formação devem dominar as competências necessárias para verter com sucesso textos jurídicos para sua segunda língua e, posteriormente, atender a essa demanda real do mercado. A maioria dos programas de formação de tradutores jurídicos parece particularmente se concentrar no desenvolvimento de competências temáticas, nas quais elementos relacionados ao Direito desempenham papel descomunal, enquanto outras habilidades, como as relacionadas à competência tecnológica, é minimizada. Nosso objetivo neste artigo é destacar como corpora monolingues ad hocs podem ser uteis para aqueles que se dedicam à tradução de textos jurídicos para sua L2, especialmente o quanto os corpora ajudam a recuperar informações fraseológicas e discursivas, auxiliando, de forma mais ampla, na tomada de decisão durante o processo de tradução.*

Palavras-chave: Corpora monolingue, tradução jurídica, tradução para L2.

Introduction

Legal translation is not an easy task. Translators engaged in transferring legal texts from one language to another must deal with the difficulties associated with any type of specialised translation – that is, tackling specialised domain-specific discourse and terminology. As described by Alcaraz and Hughes (2002: 5), legal translators have to undertake "some quite daunting linguistic tasks in preparing their versions of legal originals" due to the specificities of legal discourse, such as – to name but a few – the use of latinisms, archaisms, fixed formulae, formal register patterns, redundancy elements, long and complex sentence structure, syntactical intricacies and abundant subordination. But legal translators also have to face an extra challenge posed by the very nature of Law, a human construct resulting from the historic, social and political evolution of a particular geographical area, which inevitably leads to the well-known asymmetry of legal systems and its relevant conceptual and terminological incongruity.

This task becomes even more intricate when translators must transfer the legal text into their second language. Even if some still fiercely oppose this direction in translation and advocate that translators must always work into their first language, there is a real demand for translations into the second language in the translation industry, at least in Spain (Kelly *et al.*, 2003; De la Cruz Trainor, 2004). The fact that the translations into the language other than Spanish carried out by state-appointed Sworn Translators-Interpreters also enjoy an official status and have legal effects in Spain proves that this demand also applies to legal translation. In fact, translation into the second language seems to outweigh translation into the first language for many of these professionals (Vigier Moreno, 2011: 325).

There are some types of legal translation whereby the translated document is to be regarded as law itself (for example in multilingual jurisdictions or international law instruments). However, legal translations very often serve chiefly an informative purpose and the translated texts are mostly descriptive, as "the translations of such documents are used by clients [public service users] who do not speak the language of the court [. . .] or by lawyers and courts who otherwise may not be able to access the originals" (Cao, 2007: 12). Therefore, this way of translating legal documentation where communicative purposes prevail is clearly orientated towards the target-text receiver, rather than focusing predominantly on accuracy and faithfulness with respect to the source text. In other words, "the translator's first consideration is no longer fidelity to the source text but rather fidelity to the uniform intent of the single instrument, i.e. what the legislator [. . .] intended to say" (Šarčević, 1997: 112). In the case of informative translations of legal texts into the second language, we can assume that "a competent translation is one that transmits the intended message in a language which is clear and sufficiently correct not to contain unintended comic effect or strain the reader's patience unduly" (McAlester, 1992: 294).

There is, hence, a real need to provide Translation students with specific training that will enable them to produce legal translations in their second language to a good standard. In other words, students must develop their legal translator competence so as to be able to successfully produce a target text that conveys the same meaning as the source text, meets the acceptability requirements of the expected target text and fulfils the conventions of the target-text receiver. However, as we discuss below, students tend to approach legal translation (even more so when it is into their second language)

from a very literal perspective, "remaining attached to word-for-word renditions" (Ortega Herráez and Calvo Encinas, 2009: 351). There are many reasons explaining this, but we have mainly observed two: on the one hand, the limitations of conventional lexicographic and terminological resources for legal translations, which offer translation options without providing an appropriate contextualisation of the unit or the underlying translation technique and notion of equivalence (Orozco Jutorán, 2014: 245); on the other hand, as Translation students normally lack previous legal training, legal translation courses put special emphasis on developing students' thematic competence (i.e., basic legal knowledge), sometimes overlooking the importance (and benefits) of other competences, such as technological competence.

In this article, we intend to describe how trainee legal translators can benefit from using *ad-hoc* monolingual corpora for the translation of legal texts into their second language, especially when it comes to phraseology. We will describe our experience from an activity addressed to postgraduate students which purports to make them aware of how they can apply previous training in research skills and electronic tools (most specifically, in corpus compilation and management) when they are commissioned to translate a legal text into their second language. We will highlight those aspects that are clearly enhanced by this methodology and, as otherwise expected, other problematic elements for which corpora are still of little use in legal translation.

Technological competence within legal translator competence

Many authors have striven to describe what skills, abilities and knowledge are required of a competent translator. Accordingly, multicomponent models, like those suggested by PACTE (2000), Kelly (2007) and the EMT Expert Group (2009), which classify translator competence as a macro-competence encompassing different sub-competences (such as linguistic competence, textual competence, thematic competence, attitudinal competence, and many more), seem to be consolidating. Since computers and the Internet have undoubtedly revolutionised the translator profession in the last decades, it is no wonder that technological competence (i.e. the use of technology at the translator's workplace) figures prominently in all these models. In fact, some authors, like Göpferich (2009), even suggest that instrumental competence, which includes technological skills, is one of the translation-specific competences that distinguish professional translators from bilingual individuals with no training in translation.

As to legal translation, the first specific model of legal translator competence was put forward by Prieto Ramos (2011). Based on previous models and taking account of the specificities of legal translation as a result of his own extensive professional practice, his proposal for a specific legal translator macro-competence breaks down into five competences: strategic or methodological competence, communicative and textual competence, thematic and cultural competence, instrumental competence, and interpersonal and professional management competence. Firstly, strategic or methodological competence, which coordinates all other competences, includes the analysis of the communicative situation, the macro-contextualisation and work planning of the translation process, the identification of translation problems, the implementation of translation strategies and procedures, and self-assessment and quality control. Secondly, communicative and textual competence encompasses expert linguistic knowledge of both working languages (registers, specialised discourse and textual conventions). Thirdly, thematic and cultural competence relates to the knowledge of legal systems, legal sources and branches of

law, with special attention to the awareness of legal asymmetry. Fourthly, instrumental competence mainly focusses on documentation and technology skills. And fifthly, interpersonal and professional management competence comprises skills such as teamwork and knowledge of professional practice (for instance, ethical issues). In this model, a central role is played by thematic competence, which fundamentally consists of comparative law principles and other elements of legal science and legal linguistics, as legal translators "must be familiar with rules of interpretation, legal reasoning, legal structures and procedures, common legal phraseology, and legal sources" (Prieto Ramos, 2011: 13).

Another model that has been recently proposed to define legal translator competence is that of Scarpa and Orlando (2014) as a result of their contribution to the QUALETRA project. This model of legal translation competence basically adapts the EMT model to the specificities of legal translation identified in the course of the project and adds new dimensions to every subcompetence (for example, intercultural competence now includes the mastery of genre conventions and rhetorical standards of different types of legal documents as a textual dimension). One of the subcompetences making up this legal translation macro-competence is information mining competence, which makes clear reference to corpora as legal sources from which relevant information (not only thematic but also terminological and phraseological) can be extracted.

Multicomponent models are especially relevant for translator training, as they allow training programmes to include tasks which are specifically designed to help students to develop those skills, knowledge, abilities and attitudes which are considered paramount for their prospective careers as translators (Hurtado Albir, 2007). When addressing legal translator training, however, the main focus seems to have been, predominantly, linguistic and thematic competences, on the basis that competent legal translators must not only master their working language pair, but must also have expert knowledge in law, including legal knowledge, systems, reasoning and jargon. This emphasis, subsequently, has somehow overshadowed other abilities of high importance for legal translators, including technological competence. As shown above, it is a procedural knowledge which must be developed by those who intend to engage professionally in legal translation tasks today, especially because "translators work to tight deadlines under substantial time pressure and in reality have little time to carry out in-depth comparative law analyses" (Biel, 2008: 22), and, therefore, developing technology-based research skills can make up for their lack of linguistic and legal knowledge.

Use of corpora in legal translation

Over the past few decades, corpora have increasingly attracted attention in Translation Studies and have possibly positioned themselves as one of the most – if not the most – popular resources for the study of translation-related phenomena. There seems to be a trend for scholars to advocate the use of smaller corpora, when it comes to the translation of specialised texts. These corpora, which are known as *ad hoc*, virtual or disposable corpora (Varantola, 2003: 55), can be defined as a collection of texts developed from electronic sources by the translator and compiled "for the sole purpose of providing information – either factual, linguistic or field-specific – for use in completing a translation task" (Sánchez Gijón, 2009: 115). Many researchers have also emphasised the benefits of using corpora in translator training (for example, Corpas Pastor and Seghiri 2009), especially for teaching students to translate specialised texts into their second language, since corpora allow students to verify lexical, phraseological and textual units beyond their

intuition or previous knowledge, overcome the limitations of lexicographic tools and thus make more informed translation decisions (Neunzig, 2003; Rodríguez Inés, 2008), which in turn has a direct bearing on students' self-confidence and autonomous learning (Ulrych, 2000).

In contrast with other specific translation fields (such as scientific or technical translation), corpora have started to be applied only recently in legal translation and in legal translator training. As highlighted by Soriano Barabino (2005), one reason for this may be that compiling corpora of legal texts can be a difficult task due to availability and confidentiality issues, particularly in relation to private legal documents. For these reasons, Biel states that "legal corpora – like most specialised corpora – are rather small" (2010: 4). Nonetheless, there are many authors who have shown the benefits of corpus methodology for legal translation and legal translator training and call for its widespread use in legal translation courses.

Borja Albi (2007: 13) states that corpora can provide useful information for legal translators, such as terminology, phraseology and textual features. Monzó is another one of these champions of corpus-based activities in legal translator training, as she argues that "trainers must develop *ad hoc* methodologies to raise students' awareness of the extent to which these electronic resources can boost their translation competence" (2008: 222). She provides a plethora of possibilities of use for corpora in legal translator training, depending on whether corpora are monolingual or bilingual and the focus is on formal features, terminology, phraseology, semantic structure, translation strategies, etc.

Scott has studied the use of corpora by professional legal translators and is adamant that "small, specialised electronic corpora created in legal subgenres by professional translators themselves according to their needs can assist them in producing translations that are closer in line with target audience expectations" (2012a: 88). According to Andrades Moreno (2013: 2–3), corpora are particularly useful for specialised (legal) translation and for translation into the second language, as it helps overcome terminological and phraseological deficiencies found in conventional lexicographic tools. When assessing *ad hoc* corpora against *googling* and using the Web as a Corpus, this author claims that, as the major commercial search engines have not been designed to retrieve linguistic data, they are deficient and limited in terms of linguistic concordancing, and therefore cannot compete with specific corpus-management software (Andrades Moreno, 2013).

Designing an activity for the corpus-aided translation of a legal text

As we have explained before, this activity was designed so that students could apply their previous training in technological competence (especially, in corpus compilation and exploitation) to translate a specialised, legal text (written in Spanish) into English, which happens to be the second language of most of our trainees. It was an activity within the specific module on legal translation of the Master's Degree in Intercultural Communication, Public Service Interpreting and Translation offered by the University of Alcalá (http://www3.uah.es/master-tisp-uah), Spain, which is part of the European Commission's European Master's in Translation network (http://ec.europa.eu/dgs/translation/programmes/emt/network/).

It must be noted that most of our students are not Law graduates and do not necessarily have a sound knowledge of law. Therefore, due to their lack of both expert knowledge

and self-confidence, when they face their first legal translation tasks, they tend to focus too much on terminology, that is, understanding the term/concept of the source legal system and finding an adequate equivalent in the target language. But in this fashion, it is communicative and textual competence (especially as regards phraseological use of legal discourse in the target language, chiefly when translating into their non-mother tongue – in our case, English) that many of our trainees neglect, producing translations which, linguistically correct as they may be, are not fully adequate pragmatically, since they do not meet the target language conventions or expectations.

Subsequently, the activity that we designed was aimed at making our students become aware of the usefulness of corpus-management tools to overcome many of the shortcomings they face when translating legal texts. The rationale is that, despite the paramount importance of legal knowledge for legal translators, we agree with the view that "being able to translate highly specialized documents is becoming less a question of knowledge and more one of having the right tools" (Martin, 2011). Hence, technologies play a very important role in today's legal translators' practice and can definitely help trainee translators to produce a functionally adequate and acceptable target language text and "move beyond their passive knowledge of basic legal phraseology and terminology and take a more proactive stance in the development of their legal language proficiency" (Monzó Nebot, 2008: 224).

There is a wide range of corpus types (Zanettin *et al.*, 2003: 6), but we found *ad-hoc* monolingual corpora especially useful for our task, as they are thought to be particularly useful for the translation of legal texts into the second language (Biel 2008: 35;Scott 2012a: 96;Andrades Moreno 2013: 2). Besides, the final monolingual corpus would provide them with information about the idiomatic use of specific terms, collocations, formulaic language, phraseological units, as well as genre conventions (Monzó Nebot, 2008: 230) which they can successfully apply when rendering their target-texts, thus using legal discourse that is as natural as possible in the target language (in this case, English).

The first step was to provide our students with specific training in the use of corpora, which included two sessions of six hours in total. In the first session, they were introduced to the main theoretical concepts in corpus methodology, the main documentation resources for legal translation (lexicographical databases, specialised lexicographical resources and specialised websites) and different word search strategies needed to take advantage of search engines and Boolean operators. This introductory session was relevant because searching for keywords would allow students to move into more specific areas or domains. In the second session, they were taught the differences between the so-called Web for Corpus – where the web is used as a source of texts in digital format for the compilation of an offline corpus – and the Web as Corpus approaches, which focus on the potential of the Web as a corpus in itself (Biel, 2008: 31). For the reasons stated above, *ad hoc* corpora were preferred and thus students were also introduced to specific computer software and were shown how to use retrieval information software, namely AntConc (Anthony, 2014). They also learnt the basic functions of this tool, i.e. generating and sorting concordancing, identifying language patterns, and retrieving collocations and collocation clusters.

At this point, we must explain that, as certain criteria must be determined for selection and inclusion when designing and compiling corpora, we suggest a protocol which encompasses three stages: 1) source-text documentation; 2) compilation process; and 3)

corpus analysis. In the first stage, source-text documentation, our students must read texts similar to the source text, to help them learn about the nature of this type of text and to familiarize them with the main linguistic and genre conventions in the source system. Then, students must identify texts in the target system/language which are similar to the source text and then locate different Internet-based texts to be included in their own corpus (as will be further explained, in corpus-aided translation, this first stage of corpus design and compilation goes hand in hand with the analysis of *skopos* and macro-contextualisation). To do so, they need to activate both their thematic and instrumental competences, by doing thematic research first and then applying Boolean operators, that is, to search for information using keywords (e.g. "divorce", "decree", "dissolution of marriage", etc.). Using very precise keywords – *seed* words – as filters is of paramount importance at this stage, in order that irrelevant information or *noise* is excluded.

After locating the appropriate material for their corpus, students need to download it (compilation stage), and they are encouraged to use free software (e.g. HTTrack, GNU Wget or Jdownloader) to download websites and web pages so that they can automate the downloading process. After downloading the documents, they must be converted to .txt files in order to be processed by corpus analysis software AntConc. This task is especially necessary in the case of texts retrieved in .pdf, which is the most frequent format of many authoritative legal texts available on the Internet. To this end, students use HTMLasText for html files and a pdf to text converter for pdf files. Finally, all documents are stored and the students are able to initiate the corpus analysis stage.

Implementing the activity: feedback and outcomes

After the training sessions previously described, students were briefed to translate a legal document, to wit, a *sentencia de divorcio* (decree of divorce) issued by a Spanish court (Annex 1), into US English, because the commissioner of this translation wanted to marry again, this time to a US citizen, and needed to provide evidence to the US authorities that she was eligible, because her previous marriage in Spain had already been dissolved. As can be seen in Annex 1, the source text is full of legal terminology (highlighted in yellow), clearly marked system-bound terminology (highlighted in blue) and typical formulaic expressions and phraseological units (underlined in dark blue), hence it is a very good example of a legal text that can benefit from corpus methodology.

We chose this legal genre because it is a genre typically translated within the realm of public service legal translation and, as pointed out by Scott (2012b: 4), court-related documents amount to a very big chunk of freelance legal translators' workload. What is more, court rulings are normally a matter of public record (Soriano Barabino, 2005: 197) and should be accessed (even online) more easily than other documents, such as personal documents, thus overcoming the aforementioned problems related to confidentiality and availability in the compilation of legal corpora.

In the instructions that students were given to complete this task, they were also advised to follow the same methodological approach that was used in class, which basically draws on the methodology suggested by Prieto Ramos (2011: 14–17) and consists of the following stages of the translation process:

> 1) analysis of *skopos* and macro-contextualisation, according to legal system, branch of law and legal text typology of both source and target texts, as it is

paramount to identify aspects such as the intended target reader, the type of legal translation required (whether instrumental – with legal force *per se* – or documentary – mainly informative) and the branch of law the text is related to (e.g., a judgement concerning a civil case or a criminal case);

2) source text analysis, which entails the full comprehension of the source text, including its legal function, and the identification of problematic units – chiefly system-bound elements;

3) transfer and target text production, which comprises an exercise of comparative law, the subsequent application of translation techniques (Šarčević 1997: 229–269; Holl 2012) and the drafting of the target text, taking account of the discursive conventions of the relevant legal genre;

4) revision, including assessing the overall quality of the translated text and its adequacy in view of its intended function.

Then, students were asked to compile an *ad-hoc* monolingual corpus (US English) consistent with the source text in Spanish. They were also asked to use not only conventional tools, (such as dictionaries, encyclopaedias, terminological data-bases, etc.), but also this *ad-hoc* corpus as a documentation tool for this specific assignment (for example, by checking legal terminology in context and investigating genre, lexical and phraseological patterns in this type of text). Besides, they were required to write a short report describing their corpus compilation process, providing examples of the usefulness of their corpus for their translation task and explaining which techniques and resources they had applied to solve those specific problems for which their corpus proved to be of little use.

After evaluating the projects submitted by our students (both their translations – see an example in Annex 2 – and their reports), we can make the following observations. As expected and indicated, most students compiled a relatively small corpus, comprising 15-25 documents, comprising between 40,000 and 60,000 words (tokens). However, as Scott (2012a: 91) puts it, this is not a problem per se, as legal discourse is usually so conservative that there is no need for a very large corpus to determine the most prominent features and patterns of a specific legal genre. Most of the texts chosen for the corpus compilation were authoritative, good-quality and recent, downloaded from institutional sites or legal professionals' portals, and the vast majority were found in .pdf format, which confirmed our hypotheses.

Nevertheless, an error that has been repeatedly observed is in line with the identification of *parallel* texts in the target language/system. The source text of our project is the decision of a first-instance court ordering that a marriage be dissolved by divorce. Despite this, several students compiled their corpora with decisions issued by higher-ranking courts in relation to divorce cases, which normally decide appeals, i.e., they do not decide on the dissolution of the marriage itself but evaluate previous court decisions on the divorce. This has direct implications, among others, in terminology, as the parties are no longer referred to as, say, *petitioner* and *respondent* but as *appellant* and *appellee*, and using the latter to designate the parties mentioned in our document would be clearly inadequate and imprecise.

Another problem was that many students used documents from different US states in their corpus, not taking account of the different legal frameworks that there can be in relation to divorce proceedings in different geographical locations within one country. This has a direct bearing on the use of terminology, as the party that files for divorce is

known as *petitioner* in many US states but as *plaintiff* in some others. Therefore, ideally the texts making up the corpus should have been drawn from one US state in particular, if possible, the US state where the client wants to remarry. And if this information cannot be obtained from the commissioner, the corpus should still focus on divorce court decisions from one US state in particular, in order to ensure terminological consistency within the corpus.

Again, this demonstrates how significant it is to contextualise both source and target texts according to the methodology as stated by Prieto Ramos (2011: 15), since an erroneous contextualisation will very likely encumber the whole translation process and hence hinder the success of the translated text.

In relation to (not clearly system-bound) legal terminology, our students carried out different tasks in order to use their corpus as a lexicographic resource to translate their source text. Regarding terminology, using their *ad hoc* corpus proved to be useful to get familiar with the specialised lexis. First, they built a word list with the most frequent words of their corpora. They also created what is known as a *stop list* or negative list in order to filter out words such as articles, adverbs, and prepositions so that irrelevant words or 'noise' could be avoided. Then, as noted by the students themselves, corpora were a very useful tool to identify the usage of terminology in the specific context of a US decree of divorce. Let us illustrate this with the term *demanda*, which is paramount in this text. One of the most popular English-Spanish/Spanish-English bilingual legal dictionaries, namely that of Ramos Bossini *et al.* (2008), offers the following possibilities in English for this Spanish term: *claim*, *demand*; *complaint*; *request*, *order*. Thanks to their corpus, however, many students have identified *petition for divorce* – which did not even feature in the reference lexicographic tool – as the most frequent term to designate it (and subsequently the person who files it is a *petitioner* and the person who opposes it is a *respondent*).

It was, however, when it came to phraseology, looking up for collocations and groups of words (collocation clusters), that our students' *ad hoc* corpora were most valuable, enabling them to observe the frequency of occurrence of more specific lexical patterns. AntConc offers the possibility of providing the context of selected terms, thus helping them to identify collocations. As shown below in Graph 1, they discovered that the Spanish phraseological unit *presentar demanda de divorcio* can translate as *file a petition for divorce* rather than its calque *present a petition for divorce*.

Another problem that can arise when translating legal texts is how to transfer to the target language specific set expressions or fixed formulae, which are very common in legal language. Again, the concordance function was also a very useful resource. A simple query generated concordance lines listed in keyword in context (KWIC) format, where the software displays all occurrences of the searched word (or pattern) in the corpus. The most outstanding feature is that the concordance function presents the search pattern surrounded by its immediate context. For instance, students looked up the term *FALLO*, which introduces the operative part in Spanish court resolutions. Without recourse to parallel texts or corpora, there is the temptation to translate it literally as *I RULE* – as the translation will be of a documentary nature according to the translation brief, this would not be inadequate. However, our students, thanks to the personal corpora they had compiled, were able to find other options that better meet target audience expectations and respect the stylistic conventions of the target system. By using the concordancing op-
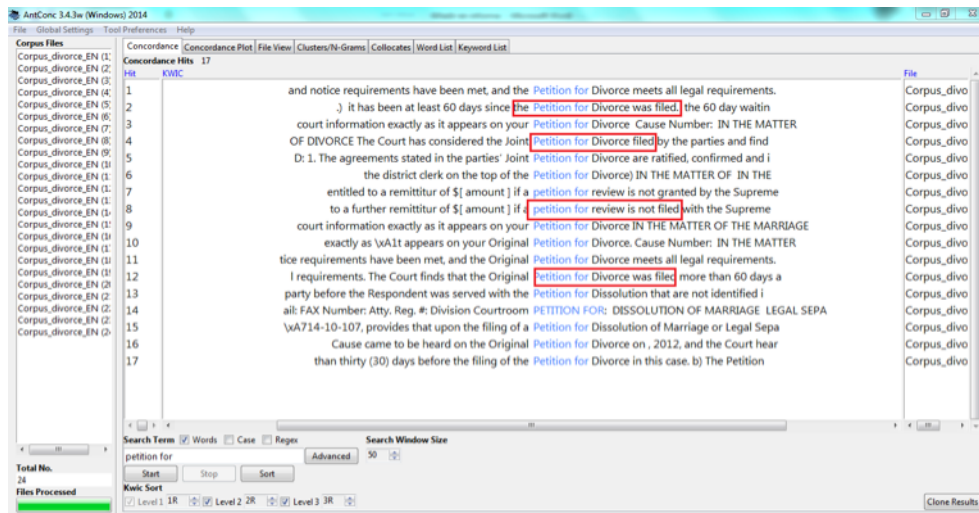
Figure 1. Example of concordancing for the term *petition*.

tion, students found that formulae such as *it is hereby ordered (, adjudged and decreed) that* were much more frequent in US legal discourse.
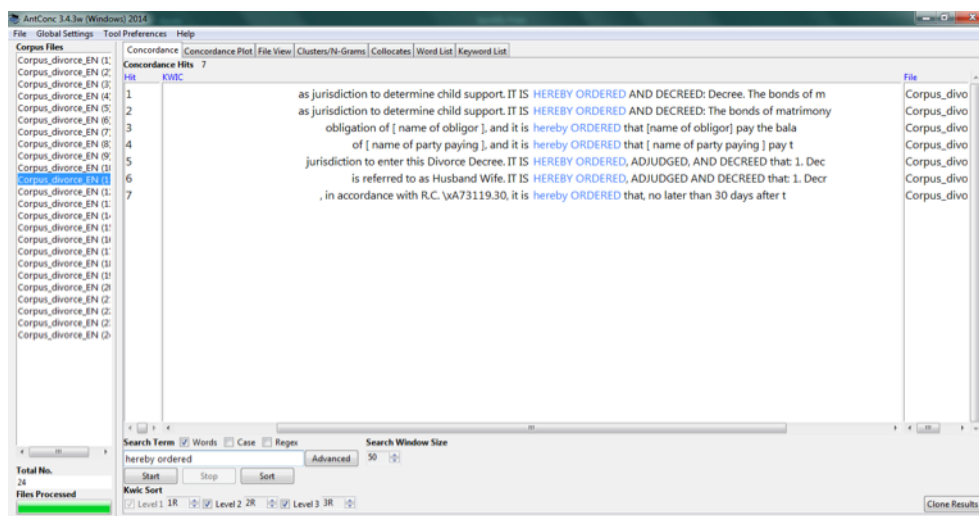

Figure 2. Example of concordancing for a phraseological unit.

Apart from the extraction of specific terms and collocations, AntConc offers direct access to individual corpus files so students can also investigate in more detail the searched for pattern in its context. This possibility is displayed by the Concordance Plot function, a bar code representation of how the search word is distributed over the text, and also by the File View section. As has been mentioned previously, legal language is characterised by formulaic expressions. Accordingly, their *ad hoc* corpus was also a documentation tool to find typical expressions in the target language discourse. For example, the source text contains a typical formula used by Spanish courts to decree the dissolution of marriage ("*debo declarar y declaro la disolución por divorcio del matrimonio formado por ambos cónyuges*". In the target text, a literal translation of this formula (which can be "*I must pronounce and I pronounce the dissolution by divorce of the marriage entered into by both*

spouses”) would not be as functionally adequate as replicating another typical expression found in the target-language comparable texts with a minor adaptation (“*the bonds of matrimony between petitioner and respondent are hereby dissolved*”), which they found by analysing their *ad hoc* corpora.
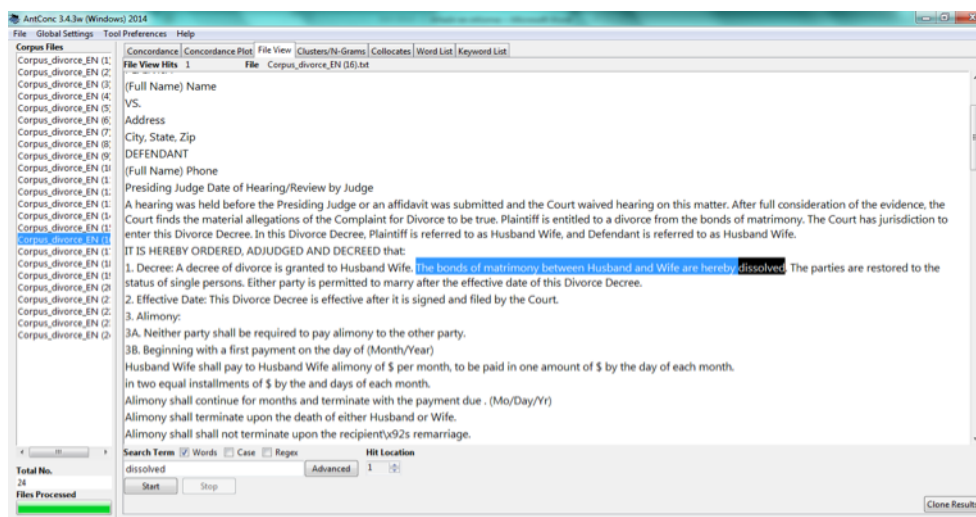

Figure 3. Example of research in individual files of the corpus.

As otherwise expected, students, nonetheless, highlighted that their corpora were of little use to them when it came to the translation of markedly system-bound legal terms, such as “*Juzgado de Primera Instancia*”, “*Procuradora*” and “*artículo 770 de la LEC*”. In these cases, the translator must apply different translation techniques in order to convey the meaning of these terms characteristic of the Spanish legal system for an audience that is not familiar with them, with a preference for descriptions and amplifications, combined with loans, in the case of informative (non-instrumental) translations. It is no wonder, then, that some of the solutions for these translation problems include “First Instance Civil Court”, “Court of First Instance (*Juzgado de Primera Instancia*)” and “*Juzgado de Primera Instancia* (Spanish First-Instance Civil Court)”; “*procuradora* (legal representative in court)”, “Court Legal Representative (*Procuradora*)” and “Legal representative before the court (*procuradora*)”; and “section 770 of the *Ley de Enjuiciamiento Civil* (Code of Civil Procedure)”, “Section 770 of the Spanish Civil Procedure Code (*Ley de Enjuiciamiento Civil*)” and “section 770 of the Spanish Civil Procedure Act”, respectively. Risky adaptation solutions, such as using “District Court” for the first unit, would undoubtedly confuse the recipients of the translated text. For the solution of these problematic items, students mentioned dictionaries (both monolingual and bilingual, despite their limited scope), multilingual databases, discussion forums and expert consultation as their principal reference sources, in line with recent findings like those by Biel (2008).

Conclusion

The use of *ad hoc* corpora can be extremely useful for the translation of specialised, legal texts into the second language, especially in order to overcome the shortcomings found in the vast majority of current lexicographic and terminological resources. As discussed above, advantages of a corpus-aided translation methodology include that legal translators can check terminology, phraseological units – such as collocations and formulaic

expressions – and textual conventions in their natural context and, therefore, can have a much firmer grasp of the target language legal discourse. Consequently, translators can use this corpus-generated information to take more informed decisions and thus deliver a rendition that better meets the target-text recipient's expectations and is more acceptable and functionally adequate.

When applied to training, two elements are essential for the success of corpus-aided legal translation. Firstly, it is necessary to provide students with specific training so that they can efficiently use all the functionalities offered by corpus management and analysis software. Secondly, trainees must be made aware that the correct macro-contextualisation of the relevant translation assignment – according to the parameters of legal system, legal branch and, most fundamentally, legal genre – is central for the appropriate selection of texts to make up their corpora. As highlighted above, the use of *ad hoc* monolingual corpora does not seem to be especially useful in relation to the translation of highly system-bound terms. Nevertheless, this corpus methodology can undoubtedly be of great use for trainees. As shown above, working with corpora obviously helps them develop their instrumental competence (activating specific corpus-management and research skills), but it also enhances their linguistic and textual competence (by improving their knowledge of legal terminology and phraseology in the target language) and consolidates their thematic competence. Even more importantly, *ad hoc* corpora can clearly boost novice translators' psycho-physiological competence by greatly increasing their self-confidence in relation to decision-making, which they normally feel they lack when facing the translation of a legal text into their second language.

Note

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Annex 1

Juzgado de Primera Instancia núm. Cinco de Córdoba.

Número de Identificación General: 1402142C20130020992.

Procedimiento: Familia. Divorcio Contencioso 1268/2013. Negociado: M.

SENTENCIA NÚM. 437/2014

Juez que la dicta: Doña Blanca Pozón Giménez.

Lugar: Córdoba.

Fecha: Veinte de octubre de dos mil catorce.

Parte demandante: Doña Dolores Camacho Amador.

Abogado: Don Jerónimo Domínguez Luque.

Procuradora: Doña María Ángeles Merinas Soler.

Parte demandada: Don Ali Sfhaqat.

Objeto del juicio: Divorcio contencioso.

ANTECEDENTES DE HECHO

Primero. Por la Procuradora doña María de los Ángeles Merinas Soler en representación de doña Dolores Camacho Amador se presentó demanda de divorcio contra su cónyuge don Ali Shafqat, alegando los siguientes hechos: los cónyuges don Ali Shafqat, nacido el día 1 de enero de 1971, estado civil viudo y nacionalidad pakistaní, y doña Dolores Camacho Amador, nacida el día 1 de abril de 1973, estado civil divorciada y nacionalidad española, contrajeron matrimonio en La Roda (Albacete) el día 16 de febrero de 2012. Del matrimonio no existen hijos. Tras alegar los fundamentos de derecho que consideró oportunos, termina solicitando se dicte sentencia de conformidad con el suplico de la demanda.

Segundo. Admitida a trámite la demanda se confirió traslado a la parte demandada a fin de comparecer y contestar en el plazo de veinte días. No compareciendo la parte demandada dentro de plazo, se declara a dicha parte en situación de rebeldía procesal.

Tercero. Convocadas las partes para la celebración de la vista principal del juicio, de conformidad con el artículo 770 de la LEC. En el acto del juicio la parte actora se ratifica en su demanda. Practicadas las pruebas propuestas, tras el informe final, quedan conclusos para sentencia.

Cuarto. En la tramitación de este procedimiento se han observado las prescripciones legales aplicables.

FUNDAMENTOS DE DERECHO

Primero. Según el artículo 770 de la Ley 1/2000, de Enjuiciamiento Civil, establece que las demandas de separación y divorcio, salvo las previstas en el artículo 777, las de nulidad del matrimonio y demás que se formulen al amparo del Título IV del Libro I del Código Civil, se sustanciarán por los trámites del verbal, conforme a lo establecido en el Capítulo I de este Título, y con sujeción, además, a las reglas contenidas en el citado precepto.

Segundo. El artículo 86 del Código Civil, con la nueva redacción dada por la Ley 15/2005, de 8 de julio, por la que se modifican el Código Civil y la Ley de Enjuiciamiento Civil en materia de separación y divorcio, se decretará judicialmente el divorcio, cualquiera que sea la forma de celebración del matrimonio, a petición de uno solo de los cónyuges, una vez transcurridos tres meses desde la celebración del matrimonio (artículo 81 del Código Civil).

Aplicándolo al caso de autos, a la vista de las pruebas que obran unidas procede decretar el divorcio interesado en la demanda al concurrir los requisitos exigidos en la ley, con los efectos legales inherentes.

Sin pronunciamiento sobre las costas. Vistos los artículos citados y demás de general y pertinente aplicación,

FALLO

Que debo estimar y estimo la demanda de divorcio interpuesta por doña Dolores Camacho Amador, representada por la Procuradora doña María de los Ángeles Merinas Soler contra don Ali Shafqat, en situación de rebeldía procesal, y debo declarar y declaro la disolución por divorcio del matrimonio formado por ambos cónyuges, con los efectos legales inherentes.

Sin pronunciamiento sobre las costas.

Únase la presente al libro de sentencias de este Juzgado y testimonio de la misma a los autos de su razón.

Contra esta resolución cabe recurso de apelación ante la Audiencia Provincial de Córdoba (artículo 455 LEC).

El recurso se interpondrá por medio de escrito presentado en este Juzgado en el plazo de veinte días hábiles contados desde el día siguiente de la notificación. En la interposición del recurso el apelante deberá exponer las alegaciones en que se base la impugnación, además de citar la resolución apelada y los pronunciamientos que impugna (artículo 458.2 LEC).

Una vez firme, comuníquese la sentencia al Encargado del Registro Civil donde obra inscrito el matrimonio para su anotación, librándose a tal efecto el oportuno exhorto.

Así por esta mi sentencia, lo pronuncio, mando y firmo.

Diligencia. En Córdoba, a veinte de octubre de dos mil catorce. La pongo yo, la Secretario Judicial, para hacer constar que en el día de su fecha S.S.ª me hace entrega de la anterior resolución que paso a documentar y a unir a los autos de su razón, cumpliéndose lo acordado. Doy fe.

Y encontrándose dicho demandado, don Ali Sfhaqat, en paradero desconocido, se expide el presente afín que sirva de notificación en forma al mismo.

En Córdoba, a veinte de octubre de dos mil catorce.- El/La Secretario/a Judicial .

Annex 2

First Instance Civil Court No. 5 of Córdoba.
General Identification Number: 1402142C20130020992.
Proceedings: Family Law. Contested Divorce 1268/2013.
Bureau: M.

<div align="center">

DECREE OF DIVORCE
NUMBER 437/2014

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Deciding Judge: Ms. Blanca Pozón Giménez.
Town/City: Córdoba.
Date: Twentieth of October two thousand and fourteen.
Petitioner: Ms. Dolores Camacho Amador.
Attorney: Mr. Jerónimo Domínguez Luque.
Legal representative before the court (*procuradora*): Ms.
María Ángeles Merinas Soler.
Respondent: Mr. Ali Shafqat.
Subject-matter: Contested divorce.

<div align="center">

FACTS

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First.- Ms. María de los Ángeles Merinas Soler, legal representative acting on behalf of Ms. Dolores Camacho Amador, filed a petition for divorce from Mr. Ali Shafqat, the spouse, stating the following facts: the spouses Mr. Ali Shafqat, a Pakistani national born on January 1, 1971 and a widower, and Ms. Dolores Camacho Amador, a Spanish national born on April 1, 1973, divorced, got married in La Roda (Albacete) on February 16, 2012.

There are no children of this marriage. Having stated the relevant legal grounds, the petitioner made a motion for judgment to be granted based on the petition pleadings.

Second.- Once the petition for divorce was given leave to proceed, it was served upon the respondent for him to appear and answer within twenty days. The respondent failed to appear within the time limit required and wholly made default.

Third.- Summons were served on both parties for the main hearing of the trial in compliance with section 770 of the Spanish Civil Procedure Act. At trial, the petitioner confirmed the petition. On hearing the evidence presented, and having read the final brief, the case was ready for judgment.

Fourth.- All statutory procedural requirements for these proceedings have been met.

LEGAL GROUNDS

First.- Section 770 of the Spanish Civil Procedure Act 1/2000 provides that petitions for divorce and separation – with the exception of those included in section 777 –, petitions for annulment of marriage, and any other petition filed under Title IV of Book I of the Spanish Civil Code shall be conducted in oral proceedings in compliance with Chapter I of the said Title, and subject also to the rules set forth in the afore-mentioned provision.

Second.- Pursuant to the new wording of section 86 of the Spanish Civil Code as per Act 15/2005 dated July 8th amending the Spanish Civil Code and the Civil Procedure Act with respect to separation and divorce, divorces shall be ordered and decreed at the request of any one of the spouses regardless of the type of union they entered into, and provided three months have passed since the marriage was held (section 81 of the Spanish Civil Code).

In these proceedings, and in light of the evidence received, the Court finds that all prerequisites required by law have been met and therefore the petitioner is entitled to a divorce as demanded, thus producing the relevant legal purposes.

No decision is taken as to payment of court costs. Having considered the above-mentioned sections and other applicable general and relevant provisions,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED

that the petition of divorce filed by Ms. Dolores Camacho Amador, represented by Ms. María de los Ángeles Merinas Soler, against Mr. Ali Shafqat, who made default, be granted, and the bonds of matrimony between petitioner and respondent be hereby dissolved, thus producing the relevant legal purposes.

No decision is taken as to payment of court costs.

This decree shall be registered in this Court's docket and a certified copy thereof shall be attached to the above-referenced proceedings.

This judgment is appealable before the Provincial Court of Córdoba (section 455 of the Spanish Civil Procedure Act).

The appeal shall be taken to this Court in writing within twenty working days from the first day after notification. When appealing, the appellant shall argue the reasons for challenging the decree, as well as mention the judgment being appealed and the decisions being challenged (section 458.2 of Spanish Civil Procedure Act).

Once the decree of divorce is final, an entry thereof shall be made at the Register where the marriage was recorded. For such purposes, the appropriate letter of request shall be forwarded to the Superintendent Registrar.

I therefore so decree and set my hand hereto.

Certification.- In Córdoba, this twentieth day of October two thousand and fourteen. I, the Judicial Secretary, hereby certify that on this day Her Honor forwarded the above judgment to me, which I document and attach to the referred proceedings, in compliance with the statutory requirements.

This document is served on the respondent, Mr. Ali Sfhaqat, whose whereabouts are unknown, for the purposes of notification.

In Córdoba, this twentieth day of October two thousand and fourteen. – The Judicial Secretary.