

Report on English-Chinese Translation Practice Based on Trados Computer Aided Translation: A Case Study of Procedure in Civil Cases in the U.S. Courts

Yuanyuan Zhao^{1,a,*}

¹*Qinghai Normal University, Haihu Avenue, Chengbei District, Xining City, Qinghai Province, China*

a. wren.zhao@qq.com

**corresponding author*

Abstract: This report focuses on the translation practice of parts of the text from "Procedure in Civil Cases in the U.S. Courts" using the Trados translation software. By comparing and analyzing the application of Trados in the translation process, this study aims to reveal the advantages and limitations of using computer aided translation (CAT) tools in legal text translation. The research finds that Trados significantly aids in the field of legal translation; however, its effectiveness is still limited by the translator's grasp of legal expertise. Therefore, this paper intends to offer practical suggestions and experience summaries for legal text translation and to discuss the pros and cons of CAT tools in specific fields. Through an in-depth analysis of Trados usage and a detailed examination of the translation practice results, this paper aims to provide feasible recommendations for improving the quality of legal text translation and to serve as a reference for the application of CAT tools in the legal field.

Keywords: Trados, Computer Aided Translation, Legal Text, Efficiency and Accuracy

1. Introduction

In today's globalized society, the role of computer aided translation (CAT) technology is increasingly prominent, providing translators with powerful tools to meet the needs of cross-cultural communication. Trados, as a widely used computer aided translation software, has gained significant attention and favor in the translation field for its excellent translation effects and efficient workflow. This paper discusses the practical application of Trados in the translation of English-Chinese legal texts, using "Procedure in Civil Cases in the U.S. Courts" as a case study. The translation of legal texts involves a high degree of professionalism and complexity, demanding higher linguistic abilities and legal knowledge from translators. As a CAT tool, whether Trados can effectively improve translation efficiency and quality in the field of legal texts becomes the focus of this study. By exploring the specific application of Trados in legal text translation in depth, this study aims to provide feasible experience summaries and practical advice for the practice in the field of legal text translation, to promote the progress and enhancement of translation work.

2. Computer Aided Translation

Computer aided translation (CAT) is a technology that uses computers to aid translators in efficiently completing translation tasks [1]. Its main functions include translation memory and terminology databases. The system divides the text to be translated into several small sentences and provides translators with existing translation memories and self-built terminology databases. During the translation process, the system automatically detects similar or identical translations for the translator's reference. For sentences or phrases that have been translated identically before, translators can directly use the translation segments provided by the system and adjust and modify them as needed. This method of computer aided translation greatly saves the translator's working time and avoids repetitive labor. Additionally, during the translation process, the system automatically builds a memory database to record the user's translations. After the translation is completed, the system's review function can identify errors in numbers, word spelling, and punctuation marks, ensuring that the translated text is exported in a format consistent with the original.

3. Task Description

3.1. Text Introduction

The original text to be translated is of the legal text type, with an excerpt of 1,407 characters, mainly covering parts of the procedure in civil litigation in U.S. courts.

3.2. Characteristics of the Text

Translation of legal English is one of the most challenging branches in the field of applied translation [2]. English legal texts often feature long sentences, complex structures, profound concepts, and a mix of technical terms with common words, often employing archaic adverbs and superfluous words. The style of legal texts is rigorous and meticulous, making their translation requirements distinctly different from other types of texts. During the translation process, it is necessary to deeply analyze the original text and ensure that every legal concept and clause is accurately conveyed, to maintain the legal accuracy and logical rigor of the translated text.

4. Translation Techniques and Strategy Analysis

4.1. Domestication

Domestication refers to localizing the source language for the target language or readers, adopting expressions familiar to the target readers to convey the content of the original text. Domestication translation requires translators to move closer to the target language's readers, speaking as a native author would. The original author's intention to directly communicate with the readers demands that the translation becomes an authentic expression in the target language. Domestication translation helps readers better understand the translated text, enhancing its readability and appreciation. In this translation practice, the translator frequently employed this method.

Example 1:

Original:

- A. The Parties to a Lawsuit
- B. The Commencement of an Action
- C. Pleadings and Other Procedures Prior to Trial

Translation:

一、诉讼的双方(当事人)

二、诉讼的开始

三、双方诉讼文书和审判前的其他程序

In English, it is common to use letters such as A, B, C, etc., to denote parallel sentences, which can make the sentences clearer and easier to understand, especially when expressing complex ideas. In Chinese, using "一、二、三" to represent the beginning of parallel sentences is a common method. "一" indicates the first sentence, "二" the second, and "三" the third, and so on. By applying domestication, translating "A, B, C" as "一、二、三" helps readers better understand the relationship between sentences, making the article clearer and easier to understand.

Example 2:

After understanding the logical relationship between the original sentences, the translator translated them in a more intuitive manner. As shown in Figure 1, "he will have to pick the proper court" is translated as "第一,他必须选择合适的法院" and other similar structures, adopting a domesticated translation strategy. This ensures that the translation naturally integrates into the target language's context, aligning with Chinese expression habits. Chinese typically uses similar numbering when expressing steps, order, or lists. This helps make the translation more in line with Chinese readers' linguistic habits, improving the readability and fluency of the translation.


14	To get the proceedings going, the plaintiff will have to do three things: he will have to pick the proper court, he will have to see that the defendant or his property is brought before it, and he will have to state his complaint and what he wants the court to do about it.		为了启动诉讼程序,原告必须做三件事:第一,他必须选择合适的法院;第二,他必须确保被告或他的财产被带到法院;第三,他必须陈述他的投诉以及他希望法院如何处理。
----	---	---	---

Figure 1: Example of Domestication 1

Example 3:

In English, it is common to use impersonal constructions, while Chinese prefers personal constructions. As shown in Figure 2, the original "it may assert some counterclaim," where "it" refers to a state or situation rather than a living entity, is translated by making the defendant the subject, changing from an impersonal to a personal construction, aligning with Chinese expression.


49	Whatever the answer says about the plaintiff's claim, it may assert some counterclaim which the defendant has against the plaintiff.		不论答辩书对原告人提出的索赔要求有何看法,被告人都可以针对原告人的索赔要求提出某种反诉。
----	--	---	--

Figure 2: Example of Domestication 2

4.2. Word Order Adjustment Method

The word order adjustment method is used to address differences in expression and habits between Chinese and English. During translation, translators need to skillfully handle the details, adjusting the order of words between Chinese and English in a timely manner to ensure more accurate expression of sentences, while also improving their fluency.

Example 1:

As shown in Figure 3, a part of the original text: "...because the defendant is not there..." is translated to: "若是由于被告本人不在那里...". By placing the causal adverbial clause at the beginning, the reason becomes more prominent in the Chinese translation, aligning closer with Chinese expression habits. This is a common word order adjustment method to ensure the translation fits better within the Chinese context, avoiding overly long modifiers and making the entire sentence clearer, maintaining the original text's logical relationship.

Furthermore, the original text uses a conditional adverbial clause, "if he has one, in the jurisdiction". This sentence is translated to "只要他有房子在该管辖区内". In the translation, this part is placed before the main clause, making the structure of the Chinese sentence clearer.


28	If the <u>summons</u> cannot be served personally, because the defendant is not there, it may commonly be served by leaving it at his house, if he has one, in the jurisdiction.		若是由于被告本人不在那里导致传票不能送给他, 那么只要他有房子在该管辖区内, 通常就可以把传票留在他家里。
----	--	---	---

Figure 3: Example of Word Order Adjustment Method 1

Example 2:

Generally, English tends to express the result first and then use the reason to modify the result, i.e., "result before reason". Chinese, on the other hand, tends to express the reason first and then the result, i.e., "reason before result". This difference in word order may be related to the thinking modes of Eastern and Western cultures. This difference is also reflected in this translation report. As shown in Figure 4, the original text starts with the result "it more expeditious", but the translator places it at the end, translating it as "可以更快地做到这一点", making the translation more in line with Chinese expression habits.

The English phrase "in advance of the trial" is translated to "在审判之前", placing this temporal adverbial clause at the beginning, making the expression more direct and in line with Chinese habits, resulting in a smooth and natural translation.

In the original text, "by exchanging written statements of their respective claims" is translated as "通过交换陈述各自要求的书面文件". Here, the translator adjusts the order of actions, placing the act of exchanging documents before the purpose adverbial clause "attempt to narrow down the issues of fact and law on which they differ", making the Chinese expression more in line with the chronological and logical sequence.


35	But we have deemed it more <u>expeditious</u> to have the parties, in advance of the trial, attempt to narrow down the issues of fact and law on which they differ by exchanging written statements of their respective claims.		但我们认为, 在审判之前让双方通过交换陈述各自要求的书面文件, 设法缩小双方有分歧的事实问题和法律问题, 就可以更快地做到这一点。
----	---	---	---

Figure 4: Example of Word Order Adjustment Method 2

4.3. Parataxis

Parataxis, or hypotaxis, refers to the connection between words or sentences based on their meanings or logical relations, rather than relying on linguistic formal means [3].

Legal English, to highlight the uniqueness of the law, often uses complex and lengthy sentences when drafting statutes or writing documents [4]. When examining the structural features of English sentences, it is observable that English tends to utilize formal and structural means based on conjunctive functions. In contrast, Chinese is more inclined to use parataxis, expressing ideas through independent clauses or cumulative sub-clauses, with the logical relations between sentences clarified by their sequence [5].

Original:

This demonstrates that he could be arrested if necessary, and also gives him notice that a lawsuit has been started against him, and in what court and by whom.

Translation:

这一举动表明,如果有此必要,他可能被捕;同时也通知他说,已经有人对他提起诉讼,以及在什么法院被什么人提起诉讼。

In paratactic translation, it's sometimes possible to omit conjunctions from the original text to make the translation more fluid, while still ensuring accurate conveyance of information. In the phrase "This demonstrates that he could be arrested if necessary, and also", the conjunction "and" is used to connect two pieces of parallel information. However, the translator has chosen not to directly translate "and", enhancing the smoothness of the translation.

5. Application of Trados in Legal Text Translation

5.1. Advantages and Applicability of Trados in the Legal Text Field

As a Computer Aided Translation (CAT) tool, Trados demonstrates significant advantages and applicability in the legal text domain. The benefits of using Trados in translating legal texts primarily lie in enhanced translation efficiency, maintained terminology consistency, and paragraph and format handling. These features make it an indispensable tool in legal translation work, providing translators with more efficient and accurate translation solutions.

5.1.1. The Role of Trados in Improving Translation Efficiency

Trados has a terminology memory function that can store translated professional terms. This not only ensures consistent use of specific terminology within the same document, enhancing translation accuracy and avoiding potential misunderstandings or ambiguities due to inconsistent terminology but also becomes particularly important when dealing with legal texts, which often contain a large number of complex professional terms and legal vocabulary. By accumulating and automatically applying previously translated terms, this feature of Trados not only simplifies the translation process but also provides translators with a powerful tool. This helps them focus more on the legal nuances of the text, improve translation quality, and meet the stringent requirements of legal texts for precise wording.

As illustrated in Figure 5, when handling the fourth sentence of the text, the translator faces a multitude of professional terms, which are then added to the translation terminology database. In the subsequent processing of the fifth sentence (see Figure 6), the terms previously included in the terminology database are displayed, thereby simplifying the translation process and significantly enhancing the translator's efficiency.



Figure 5: Trados Efficiency Enhancement Example 1

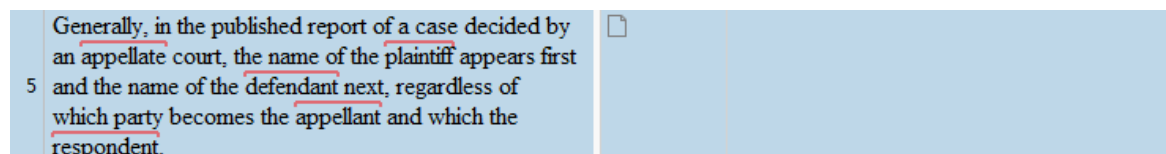


Figure 6: Trados Efficiency Enhancement Example 2

5.1.2. Advantages of Trados in Paragraph and Format Handling

Trados allows translators to process text by paragraph or sentence, effectively enhancing the convenience of text management and organization. This flexibility is particularly important when dealing with legal texts, as legal documents often encompass complex legal provisions and sentence structures. Moreover, considering the conventional characteristics of legal texts, which include

specific formatting and layout requirements, Trados ensures the translated document's appearance and format remain consistent with the original document by preserving the original text's format. The combination of these two features makes Trados an ideal choice for handling legal texts, providing translators with effective tools that not only simplify the translation process but also ensure the final translated document's professionalism and compliance with legal requirements.

5.2. Shortcomings of Trados in the Legal Text Domain

Due to the polysemy of legal terminology, where a single word can have multiple meanings, translating legal texts presents considerable challenges. When we have already added a term, its meaning in the next sentence might represent a different sense.

Translators frequently encounter the word "court" during the translation process, but it does not always translate to the same meaning. The term "court" can refer to various concepts including the court itself, courtroom, courthouse, judge, legislative body, and parliament among others.

Original:

Procedure in Civil Cases in the U.S. Courts

Translation:

美国法院民事诉讼程序

Here, the translator has chosen to translate "court" as "法院" (court), adding it to the terminology database.

Original:

The job of courts is to settle the controversies which persons bring to them.

Translation:

民事法庭的职责是解决当事人向法院提出的争议。

In this sentence, the translator has selected the meaning "法庭" (courtroom/court) for "court", while also adding information. Given that the primary content of the translation material is the civil litigation process, the term "court" here necessarily refers to a civil court. The translator has made this implicit content explicit, making the article clearer and easier to understand.

However, when translating this sentence, the translation memory displays "court" as meaning "法院" (court), which, while providing convenience to the translator, can also limit their thinking.

6. Conclusion

Through the experience of this translation practice, the author has recognized that utilizing Trados for legal document translation is effective. This tool has improved translation efficiency and also alleviated the burden of translation work to some extent. However, these advantages do not become immediately apparent at the outset but gradually emerge as the translation process continues. Significant assistance in translation is only achieved when the translator has built a substantial terminology database and the computer's translation memory is continuously enriched [6].

As translators, it is imperative to keep pace with the times, learn to apply CAT technologies like Trados, and integrate Trados with human translation to enhance translation efficiency and ensure the quality of translation. Through the analysis report of this translation practice, the author hopes to provide some references for translators working on legal texts on the one hand and deepen people's correct understanding of computer aided translation software on the other.

References

- [1] Tang, A. Y. (2022). *Research on the effective application of computer aided translation technology in business English translation. Modern English*, (24), 69-72.

- [2] Wang, Q. (2014). *Translation report of "Legal English" [D]. Henan University.*
- [3] Liu, M. Q. (1992). *Chinese-English contrast and translation [M]. Nanchang: Jiangxi Education Publishing House.*
- [4] Gong, X. Y. (2015). *Translation report of "An Introduction to American Law" [D]. Southwest University of Political Science and Law.*
- [5] Dang, L. L. (2011). *Comparative study of form and meaning and translation strategies. Journal of Yichun College, (07).*
- [6] Wang, Y. X. (2016). *Computer aided Chinese translation practice report of the English play "The Ointment of Ghirid" [D]. Dalian Maritime University.*