Teaching Lawyers to Create Translation Abstracts of Audiovisual Texts: Modern Solutions

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Abstract. The article is devoted to investigating the problem of teaching lawyers to create translation abstracts of audiovisual texts applying Cat tools. Modern society faces a wide range of challenges associated with its informatization. Information and communication technologies permeate all the spheres of life, thereby contributing to the digital economy. Information technologies are regarded as a tool for ensuring the development of all professional spheres and the development of society as a whole. Researchers in digital technology discuss the need to completely rethink and update all production processes. At the same time, the new settings demand new and effective profession-related tools, educational tools included. The present research aims to reveal CAT tool opportunities for teaching lawyers to create translation abstracts of audiovisual texts. The solution of research problems was ensured through the following methods: an experimental research design, descriptive analysis, and theoretical methods such as data systematization for literature overview and classroom observations to collect data for the study. The article provides the literature and Internet resources overview on the topic of audiovisual translation. The authors focus both on Russian and foreign research works in the field of AVT relevant to creating translation abstracts of audiovisual legal texts. The choice of "free commentary" for teaching lawyers to create translation abstracts of audiovisual texts is explained. The study explains CAT tools application in teaching AVT. Based on the experiment, the authors find it practical and economical to use CAT tools to teach lawyers to create audiovisual text translation abstracts. The results obtained prove the necessity of teaching law students such techniques for their subsequent implementation in their profession-related activities. This approach implies profound language pedagogy and translation methods research, creating special manuals, recommendations, and other teaching and learning aids to ensure the expected educational results.

Keywords: audiovisual translation / AVT, artificial intelligence, translation abstract of audiovisual legal text, CAT tools, intercultural professional communication.

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Обучение юристов реферированию аудиовизуальных текстов: современные подходы

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Аннотация. Статья посвящена проблеме обучения юристов реферированию аудиовизуальных текстов с использованием CAT-технологий. Современное общество сталкивается с широким кругом задач, связанных с его информатизацией. Информационно-коммуникационные технологии проникают во все сферы жизни, существенно влияя на цифровую экономику. Информационные технологии рассматриваются как инструмент обеспечения развития всех профессиональных сфер и общества в целом. Исследователи, занимающиеся цифровыми технологиями, обсуждают необходимость полного переосмысления и обновления всех производственных процессов. В то же время новые условия требуют новых и эффективных профессиональных инструментов, в том числе образовательных. Цель статьи – рассмотреть возможности CAT-технологий для обучения юристов реферированию аудиовизуальных текстов. Решение исследовательских задач обеспечивалось применением комплекса методов: эксперимент, описательный анализ, теоретические методы (систематизация данных для обзора литературы, наблюдение). В статье представлен обзор литературы и интернет-ресурсов по теме аудиовизуального перевода. В центре внимания авторов как российские, так и зарубежные исследования в области аудиовизуального перевода, в том числе реферирования текстов. Обосновывается выбор «свободного комментария» для обучения юристов созданию рефератов аудиовизуальных текстов. Полученные результаты показывают эффективность и практичность использования CAT-технологий и доказывают релевантность обучения студентов-юристов для последующей реализации в профессиональной деятельности. Такой подход предполагает углубленное изучение языковой педагогики и методов перевода, создание специальных пособий, рекомендаций, учебно-методических пособий, обеспечивающих ожидаемые образовательные результаты.

Ключевые слова: аудиовизуальный перевод, искусственный интеллект, реферирование юридического текста, CAT-инструменты, межкультурная профессиональная коммуникация.

Introduction

The processes of globalization, integration and the COVID-19 Pandemic have entirely changed the modern world. On the one hand, we have witnessed closed borders as well as the impossibility of moving freely, and on the other hand, their complete blurring and the emergence of an essentially unified professional space. As long as a company provides the product of its commitment, it does not matter any longer where its headquarters are or whether an employee is in the office or working at home. At the same time, the new settings demand new and effective profession-related tools, educational tools included. There is an urgent need to find technological solutions adequate to the challenges of today.

Though the legal sector is regarded as one of the most conservative ones and leading attorneys do not show much desire for reforms, law companies shift to online formats, which becomes overwhelming. Legal firms of different sizes are closing their offices and transferring their employees to remote work. According to the data provided by www.law.com3, such law companies as Linklaters, Slaughter and May, Clifford Chance, Dechert, and King & Spalding have already switched to telecommuting in the UK. The survey carried out by My case specifies that 48 % of law firms started working remotely after the Pandemic (Cogburn, n.d.). There is also evidence that many US law firms have already adopted virtual meetings to do their business and discuss professional matters (Cogburn, n.d.). In this situation, audiovisual proceedings, presentations, and other materials that experts prepare become an independent target of analysis: analysts' reports are studied, assessed, and if necessary, used / quoted. In the case of an international company, translation is also provided. With computer-assisted translation (CAT) as a support tool, *creating translation abstracts of audiovisual materials* is helpful here.

Such a trend in legal settings is explained by modern technology development and considerable flexibility offered by ICTs. Moreover, ICTs give way to artificial intelligence (AI) in the legal profession, which seems only natural and welcome if we take into account that AI applications are now assessed as significant scientific findings to reform the professional dimension of the 21st century. In this context, there is no doubt that AI technologies (including Neural Machine Translation) open up new opportunities for developing the legal domain: for searching, obtaining, processing, analysing, and storing data. But *creating translation abstracts of audiovisual legal texts* stands apart from those processes as it does not only include formal aspects, such as text compression, but also sorting out and ranging information according to its relevance based on meaning and sense, as well as translation – intelligence operations that have always demanded human involvement. Another thing to remember about legal texts is that many perform evidentiary functions to be preserved in translation texts. Thus, abstracting audiovisual legal texts along with using CAT tools should rely on particular training technologies teaching students how to do so efficiently.

Statement of the problem

Due to the specific features of the legal discourse as well as established teaching practices at law universities and translation departments, *creating translation abstracts of audiovisual legal texts via CAT tools* has not become a relevant educational target so far. To make up for it, we intended to study the problem, its educational implications, and potential.

The following research questions guided the study:

• What is *audiovisual translation* as a basis for the derivative *translation abstract of audiovisual legal text*?

• What makes *creating translation abstracts of audiovisual legal texts* so specific?

• How does *creating translation abstracts of audiovisual legal texts* correlate with writing summaries?

• How can CAT tools be applied for *creating translation abstracts of audiovisual legal texts*?

Theoretical Framework

Analyzing literature and Internet resources on the topic of audiovisual translation (AVT) shows that since 1990, when the term came into active operation, AVT has been associated with paradigms that are poles apart (Bolaños García-Escribano, Alejandro & Diaz-Cintas, 2020; Gambier, 2019; Georgakopoulou, 2009; Nikolic & Bywood, 2021). In this article, we focus both on Russian and foreign research work in the field of AVT that are of relevance to the problem of creating translation abstracts of audiovisual legal texts.

The term *audiovisual translation* was coined in Russia, and initially the general opinion of researchers was that AVT was no more than a specific kind of translation meant to translate films as texts (the so-called linguistic approach to AVT). Anything above the text, such as video image or sound, was qualified as an additional difficulty for the translator – a sort of obstacle to overcome (Petrenko et al., 1990). Researchers believed that AVT was one of the ways of text study. The situation changed in 2004–2005, when the professional community of translators recognized a shift in the paradigm that came to embrace extralinguistic factors as an essential feature of such texts. That approach was advocated by A. P. Chuzhakin and P. R. Palazhchenko (2004), who argued that AVT extralinguistic component should be given full attention and regarded as a factor facilitating a translator's work and contributing to a better-quality translation product. In this respect, V. E. Gorshkova (2007) drew attention to AVT as a combination of linguistic, semiotic, and linguocultural features. The researcher provided a unified model of translation, where

film dialogue incorporates a number of components: speaker, meaning, transmission channel, and original receptor. Subsequently, the film dialogue underwent some changes considering the elements mentioned above and the linguoculture of the speakers of the target language.

J. Diaz-Sintas, a Spanish researcher of AVT, also denied the text-centric and purely linguistic approach to the study of the theory and practice of AVT (Diaz-Sintas, 2009). Along with the verbal text, the author addressed the non-verbal component – sign systems within scenes, characters' relationship, individual communication strategies built by the characters. According to the researcher, a good translator must be aware of the nature of audiovisual translation and its versatility. The idea was further developed by A. Remael, P. Orero, M. Caroll (2012), who emphasized the priority of non-verbal practices in AVT and proved it in experiment. The verbal lines are informative by 30–40 %, while the non-verbal lines are 60–70 %.

According to L. Bogucki (1998) AVT is diversified as it includes a wide range of types where each type may include various "strategies, constraints, and target audience." From this point of view logical is the idea of a diversified AVT training. AVT is now widely applied to non-fiction genres as well as professional discourse – corporate videos (Gambier, 2013; Daminova, 2016). Due to its complexity and terms abundance, legal translation is considered to be one of the most complicated: translators are expected to have legal expertise – legal background (knowledge of legal content). Practicing legal translators argue that "a law graduate with a knowledge of languages is closer to being a legal translator than a translation graduate" (Manganras S, 2017). That means that teaching lawyers legal AVT is an effective and economical way of preparing a competent legal AVT translator.

But *creating translation abstracts of audiovisual legal texts* poses additional problems. Since modern AVT combines linguistic, cultural, social, political, economic, and other perspectives (Delfani, 2019; Gambier, 2009; Diaz-Sintas, 2009; Massidda, 2015; Chaume, 2012), all the lines should be taken into account

and additionally assessed from the legal point of view before abstracting. As A. V. Kozulyaev (2019) notes, an audiovisual translation should be considered through independent professional activity.

The classification of AVT taxonomies is still debatable, and scholars cannot reach an agreement concerning the variety of its types. An exciting solution in this regard was proposed by A. I. H. Bartolomé and G. M. Cabrera, who worked out their taxonomy, developing the ideas of Gambier (2004) and Chaume (2004). The scholars distinguished 17 types of AVT, including dubbing, subtitling, voice-over, interpreting, surtitling, free commentary, partial dubbing, narration, simultaneous translation, live dubbing, subtitling for the deaf and hard of hearing, audio description, script translation, animation, multimedia translation, double versions, remakes (Bartolomé, Cabrera, 2005).

In the modern world, professionals of different fields of law are engaged in teleconferencing. Frequently, lawyers have meetings online with their foreign colleagues. Such appointments require well-developed skills in languages, law, and professional communication as a whole. The researchers studied the issues of legal intercultural professional communication (Sussex & Roland, 2004; Drosterij et al., 2006). Modern lawyers are to be able to use video-conferencing technologies and transfer the ideas, discussed topics, comments, and proposed solutions. All these legal practices are to be included in a legal conferencing brief – a summary of the results and discussion.

Considering the taxonomy mentioned above (Bartolomé, Cabrera 2005), a summary of this sort correlates with a "free commentary." A free commentary is regarded as an informal type of AVT. Bartolomé, Cabrera (2005), Chaume (2013). According to Chaume (2013: 110) free commentary is not "a faithful reproduction of the original text." Free commentary is regarded as an adaptation that requires profound translators' knowledge and research skills. Free commentary is AVT used for corporate work and is seen as an inalienable part of the corporate culture. J. Díaz-Cintas and S. Massidda (2019) highlight that nowadays every sphere of our life is entrenched in audiovisual translation where "screens are now an omnipresent feature of social interaction" (Díaz-Cintas, Massidda, 2019). The researchers described profoundly modern tools applied by audiovisual translators in subtitling, revoicing, machine translation. Among the essential areas of scientific research, J. Díaz-Cintas and S. Massidda (2019) call attention to *CAT tools*, putting forward the idea that their potential is yet little-known. Subsequently, the researchers specified that CAT tools might be helpful for a narrow range of genres, including corporate videos (Díaz-Cintas, Massidda, 2019).

Methods

This study was designed to explore teaching student lawyers to create translation abstracts of audiovisual legal texts, with CAT tools used to assist. c

Participants

Participants were bachelor law school students (Year 4) studying intercultural professional communication (Tort law course). Two groups of 4-year students (22 students) voluntarily took part in the experiment.

Materials

For the aims of the current research, we used prerecorded YouTube videos providing tort law cases, basic tort law notions explanations, and pre-teaching and post-teaching interviews.

Procedure

The experiment included four stages. The first stage was a classroom discussion of CAT tools to be used to assist the creation of translation abstracts of audiovisual legal texts (in the free commentary format). The second stage was the project creation and giving the roles to the students. The third stage of the experiment dealt with creating translation abstracts of audiovisual texts, with CAT to assist – smartcat.com. The students were to watch a video on Tort law. They had three tasks: to make two summaries (one in English, one in Russian) and to create translation memories. The fourth stage included a post-teaching discussion. The students provided feedback on the use of CAT tools for making summaries. All the students

highlighted the convenience of using CAT tools and pointed out that they would use them in the course of employment.

Discussion

First of all, we find it important to analyse the operational possibilities that CAT tools provide, and how they change a translator's work. CAT tools employ two core techniques that are *translation memory* and *terminology database*. Both methods are expected to reduce the time dedicated to job performance. Once the user enters the equivalent, the program memorizes it, and the next time the platform offers the correct translation.

All CAT tools fall into two broad categories: server-based and cloud-based. For the purposes of our study, we chose a free cloud-based CAT tool – smartcat.com. Such a choice is explained by the following factors:

– This tool is widespread among the professional translators in Russia, meaning that the students are highly likely to use them in their workflow;

– Smartcat is intuitive to use, and project creation took several minutes sending invitations included;

– It provides a wide range of additional tools that are helpful for translators.

– It is a cloud-based platform that many people from different devices could use;

– There is an option of turning on machine translation.

The starting point for our research was project creation. The project was created by uploading the tasks using smartcat.com. We uploaded the task for the students. The task creation is shown in Fig. 1 below.

Four-year students were studying tort law general concepts with the case-solving component. They had some experience in writing summaries and AVT (free commentary). However, they were never engaged in the following applying CAT tools. The abovementioned features of the course determined the choice of the topic for the AVT. The chosen teaching videos dealt with tort law. They included the critical concepts of tort law such as *injunctions, remedies, defamation, tortfeasors, the age of tortious liability, nuisance, and economic loss vicarious liability, nuisance,* etc. The video aimed to revise the whole tort law course in 1.45 hours and improve students' abstract writing skills. The students were asked to watch the video and present two abstracts (one in Russian and one in English). One of the most appreciated technologies of CAT tools is TM (translation memory) that serves to store so-called "segments" (phrases, paragraphs, Etc.) So, the third task was to create translation units relevant to the area of tort law.

The area of tort law was chosen for two reasons. Firstly, tort law covers most civil claims. As a rule, every claim that arises in a civil court, except for contractual disputes, is subject to tort law. The concept of this area of law is to correct the misconduct committed by the person and ensure that the compensation must secure the wrongdoing of others. The original purpose of a tort is to provide total
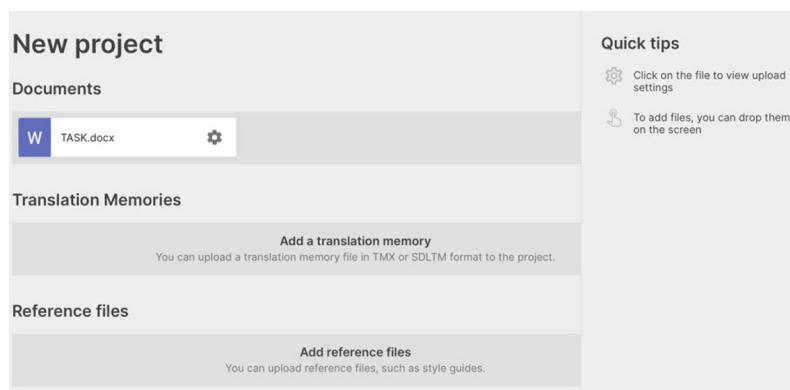

Fig. 1. Project creation

Fig. 2. Project Settings

compensation for proven harm. Such harm includes the loss of past or future income, payment of medical expenses, etc. The payment of additional punitive damages may also be assigned. Secondly, due to the specifics of the tort law, it contains a vast number of notions that might be complicated for translation. Such concepts correlate with lexical gaps "lacuna" and are regarded as a matter of concern for lawyers and legal translators. Considering these terminological discrepancies, the students uploaded their translation memories in Smartcat.com.

We set a source language (English) and a target language (Russian) in the settings as shown in Fig. 2 below. Moreover, we included the option of machine translation.

The students, while abstracting, were supposed to develop a glossary. The glossary included uncertain (so-called "pending terms") and clients' comments, which the professor added. After all the files were uploaded into the system, we arranged the students in the team by sending them invitations. Having watched the videos, the students presented their abstracts and translation memories.

The post-teaching discussion provided feedback. The students commented positively on the idea of using CAT tools. They found it interesting as it reduced theoretical work, emphasizing a practical approach. They agreed that integrating ICT in studies might be benefi-

cial for their future career. The students' opinions included the following ones:

"It was great, as we can use CAT tools not only for studying but also for getting some career opportunities."

"It was exciting to work in a team solving professional tasks."

"I appreciated that we could deal with a task without paying attention to the format. Smatcat did it automatically."

"The task provided turned out to be modern (CAT tools applied), and at the same time, it focused on developing out professional skills. I found it engaging."

"While studying we frequently solve cases concerning legal issues in English, but we rarely work with ICT. So, it was a great pleasure to get acquainted with CAT tools. I hope that I will apply these skills in translating for my group head."

Moreover, the students specified challenges they faced. One of the significant challenges was moderate skills in IT and a lack of confidence in this area.

"When I got the invitation and opened the link, everything looked quite unfamiliar. It took me some time to understand how the system worked."

"I am a sort of a conservative person but after trying smartcat, I realized how easy all the routine tasks can be."

Nevertheless, the technologies applied are intuitive, so it took some time to get acquainted with them, but it did not require special courses.

Also prominent is the idea that CAT tools for AVT could be effectively implemented in teaching law students offline and during remote teaching, increasing their motivation and improving their criticality, providing a reliable experience for the present and the future.

Conclusion

CAT tools started gaining popularity more than two decades ago, but despite their practical relevance and accessibility, they are still underestimated in teaching AVT. Thus, there is a discrepancy between the teaching practices at many law universities' translation departments and the actual social need for graduates capable of working efficiently in modern formats. Twenty years later, employers keep insisting that they are in need for specialists who are well-prepared for work with CAT tools since the lack of basic knowledge we nowadays face in this area can make it quite challenging for graduates to be competitive in the market. (Yao 2017)

Our research focused on creating translation abstracts of audiovisual legal texts in the free commentary format. Still, as we noted above, there is a wide range of distinguished AVT types meeting a variety of needs. Legal discourse is a specific type, and some legal genres demand by far more formality: an exact reproduction of essential information elements (audio and visual), additional data, and analysis if necessary.

Further investigation undertaken by the authors of the article on completing the main stage of the research described above shows that law students should be specially taught to differentiate between legal AVT genres. They also need to master reliable algorithms of dealing with those AVT genres via CAT tools in their profession-related activity. That implies profound language pedagogy and translation methods research, creating special manuals, recommendations, and other teaching and learning aids to ensure the expected educational results.

Another consideration to support the idea of carrying out profound research in the field is that its results are likely to affect studies at university, make them closer to real professional work; students are better prepared for the future, which contributes to developing their cognitive interest and motivation sphere. Besides, a considerable part of classroom work shifts to online formats, which opens good opportunities for individual learning and autonomous work.

References

Bogucki L. Toward understanding audiovisual translation. In: *Pod pretekstem słów [Under the pretext of words]*. 1998. Available at: https://www.researchgate.net/publication/330090104_Toward_understanding_audiovisual_translation

Bolaños-García-Escribano A., Diaz-Cintas J. The cloud turn in audiovisual translation. In: *Bogucki, Ł and Deckert, M, (eds.)* The Palgrave Handbook of Audiovisual Translation and Media Accessibility. Palgrave Macmillan: London, UK. 2020.

Cabrera G. M., Bartolomé A. I. New trends in audiovisual translation: the latest challenging modes. In: *Miscelánea: A Journal of English and American Studies*, 2005. 89–104.

Chaume F. The turn of audiovisual translation: New audiences and new technologies. In: *Translation Spaces*, 2003, 2(1), 105–123. DOI: 10.1075/ts.2.06cha

Chaume F. Cine y traducción. Madrid: Ediciones Cátedra. 2004

Chaume F. Audiovisual translation: Dubbing. Manchester, UK: St. Jerome Pub. 2012

Chuzhakin A. P., Palazhchenko P. R. The world of interpreting. Introduction to Interpreting XXI. Protocol, job search, corporate culture. (6th ed.). Valent. 2004

Cogburn M. (n.d.). [Survey Results] How Law Firms Are Responding to COVID-19 – Personal Productivity & Technology. In: *My case*. Available at: https://www.mycase.com/blog/survey-results-how-law-firms-are-responding-to-covid-19-personal-productivity-technology/

Daminova S. O. Development of foreign language communication skills based on audiovisualization (2nd ed.). Lenand. 2016

Delfani J. The translation of extralinguistic cultural references in animated feature films by unofficial subtitlers in Iran. 2019. DOI: 10.15126/thesis.00851036

Díaz-Cintas J., Massidda S. Technological Advances in Audiovisual Translation, in Minako O'Hagan (ed.) The Routledge Handbook of Translation and Technology. London: Routledge. 2019

Drosterij G., Hildebrandt, M., Huppes-Cluysenaer, L. The Possibility of Intercultural Law. In: *Netherlands Journal of Legal Philosophy*, 2006, 3, 215–221. At: https://www.elevenjournals.com/tijdschrift/rechtsfilosofieentheorie/2006/3/RenR_2006_036_003_002

Gambier Y. La traduction audiovisuelle: un genre en expansion [Audiovisual translation: an expanding genre]. In: *Meta: Translators' Journal*, 2004, 49, 1–11.

Gambier Y. Challenges in research on audiovisual translation. In: *Translation Research Projects 2*, eds. Anthony Pym and Alexander Perekrestenko, Tarragona: Intercultural Studies Group. 2009. 17–25.

Gambier Y. The position of audiovisual translation studies. Carmen Millán et Francesca Bartrina (éd.). The Routledge Handbook of Translation Studies. London et New York: Routledge, 2013, 45–59.

Gambier Y. Audiovisual translation and reception. In: *Slovo.Ru: Baltic Accent*, 2019, 10, 62–68. DOI: 10.5922/2225–5346–2019–1–4.

Georgakopoulou P. Subtitling for the DVD Industry. In: Cintas J. D., Anderman G. (eds) Audiovisual Translation. Palgrave Macmillan, London. 2009. DOI: 10.1057/9780230234581_2

Gorshkova V. E. Film translation: dubbing vs. subtitling (case study of Luc Besson's movie "Angel-A", France, 2005. In: *NSU Vestnik. Series: Linguistics and Intercultural Communication,* 2007, 5(1), 133–140.

Kozulyaev A. V. Integrativnaya model' obucheniya audiovizual'nomu perevodu [An integrative model of teaching audiovisual translation (English)]. 2019

Manganaras I. Legal Translator: a Law Graduate with a Knowledge of Foreign Languages. In: *Lucia Caravita*. 2017. Available at: https://www.luciacaravita.com/legal-translator-a-law-graduate-with-a-knowledge-of-foreign-languages/

Nikolic K., Bywood L. Audiovisual Translation: The Road Ahead. In: *Journal of Audiovisual Translation*, 2021, 4(1), 50–70. DOI: 10.47476/jat.v4i1.2021. 156

Petrenko V. F., Sorokin Yu.A., Tarasov E. F., Ufimceva N. V. Optimizaciya rechevogo vozdejstvi [Optimization of speech impact]. Institute of Linguistics RAS. 1990

Remael A., Orero P., Carroll M. Audiovisual Translation and Media Accessibility at the Crossroads: Media for All 3. Amsterdam: Editions Rodopi. 2012

Sussex Roland, D. Intercultural communication and the language of the law. In: *The Australian Law Journal,* 2004, 78(8) 530–543.

Yao S. Application of Computer-aided Translation in English Teaching. In: *IJET*, 2017, 12(8), 105–117. DOI: 10.3991/ijet.v12.i08.7145