



**SKILL BUILDING
WORKSHOP**

*Weightlifting for Court
Interpreters™*

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Madness:

“People doing the same thing
over and over and expecting
different results”

Albert Einstein

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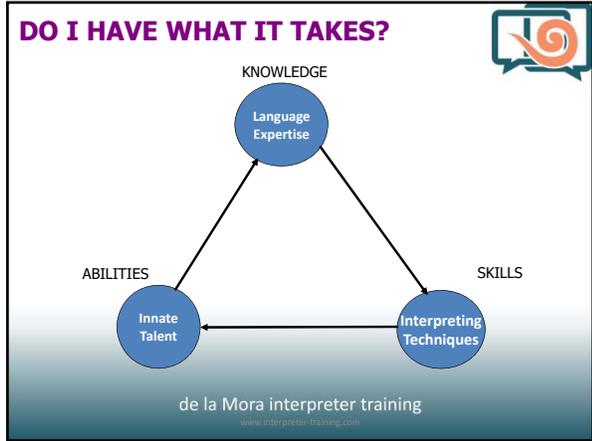


David Kolb’s Learning Cycle

Stages of the Learning Cycle.

- **Experiencing:** Carry out the task without reflection, just intention.
- **Reflection:** Stepping back from task & review what’s been done and experienced.
- **Conceptualization:** Interpreting events noticed. Use theory for framing events.

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Planning: Taking new understanding and deciding actions required to refine task.

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Agustin's Golden Rule

- Did you hear what you just said?

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Weightlifting for Court Interpreters™



- Work that brain muscle!

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Interpreting Style

- So you are:
 - Intuitive
 - Counter-intuitive

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Consecutive Interpretation

- Improve your AIM
 - Attend
 - Sorry, you must pay

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Finished files are
the result of years
of scientific study
combined with the
experience of years.



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Consecutive is the Most
Reliable
Form of Interpretation



Because the interpreter hears the
complete thought *before* beginning
to interpret

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Consecutive

Patricia Michelsen-King



- **More attention focused on Meaning the better the Recall**
- **Basic skills: Attend & Understand**

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Being there



- **Understanding Original** is essential.
- It's not the words, it's: **The Meaning**,
- **Familiarity** with subject = Routinization.
- **Ambiguity** inherent in language, context is everything
- Linguistic and **Extra-linguistic** knowledge

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Paremiology

Παροιμία + λόγος

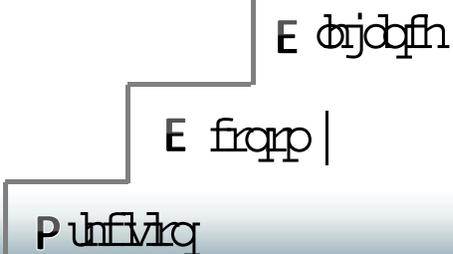


- Study of proverbs
- How does this help?
- Understanding interpretation
 - Intra-lingual interpretation
 - Inter-lingual interpretation

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"Pee" Scale



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UHP WHQH

YHUED VHTXHQWXU^

FD WR

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JUD VS#NKH#

P HD QIQJ

D QG#NKH#Z RUGV#

Z IQO#RORZ ^

FD WR

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Consecutive Interpretation

- Improve your AIM
 - Attend
 - Sorry, you must pay
 - Inscribe
 - A picture is worth a 1000 words

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Note taking

Take notes in the

Source Language

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Note-taking

Not one correct way
Patricia Michelsen-King

- Divide page in half.
– Take notes vertically
- Make notes simple and concise
(Write main ideas, trigger words)
- Draw, make your own symbols
- Practice, practice, practice

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Note-taking

Abstract ideas from SL

- Placement of ideas on page
– Indentation, verticalization
- Abbreviation
– helps to write first and last letters of a word
- Symbols
– Mathematical, arrows, Greek letters
- Lines
– Negation, repetition, underlining
- Fundamentals of Court Interpretation.

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Note-taking

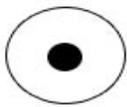


- Indentation and '/'
 - Showing continuing ideas
 - Showing relationship

- I was attending a meeting, on Saturday, June 15, in California, when I got the call about his death.

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Sat / 6/15 / Ca
call re †



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- Now, drawing your attention to Saturday, November 9, the day of the incident, when the money was allegedly removed from the safe in the office, did you call your employer before or after John told you the \$6,500 was missing?

• Fundamentals of Court Interpretation

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Qz/#uzqj |udwq 5#V dw#Q ry#/#
 g| bf/#zkq pq| zvdajgd upyg
 ip whi l#ri/#r#fo |rpsdu
 eiuv#wMqvg x## 9/833#zv
 pwjB#

**Less Notes = More Concentration
 (Memory Aides Only)**

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Note-taking

Nw
 Sat 11/9 (incdnt)

(al \$ rmv^d ← [] / [])

Yu call^d emp^r
 or ↓
 Jhn " u
 \$6500
 miss^s

Fundamentals of Court Interpretation

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Consecutive Interpretation

- Improve your AIM
 - Attend
 - Sorry, you must pay
 - Inscribe
 - A picture is worth a 1000 words
 - Memorize
 - Chain it together

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The Chain Method

“A chain is as strong as its weakest link”



- Visualization
- The Linking Rules:
 - It is all about you
 - Size does matter
 - Go ahead be silly

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Dissecting Consecutive



- The formula is in the question
 - Mental templates
- The long answer: tell me about it
 - Mental pictures “A chain is as strong as its weakest link”

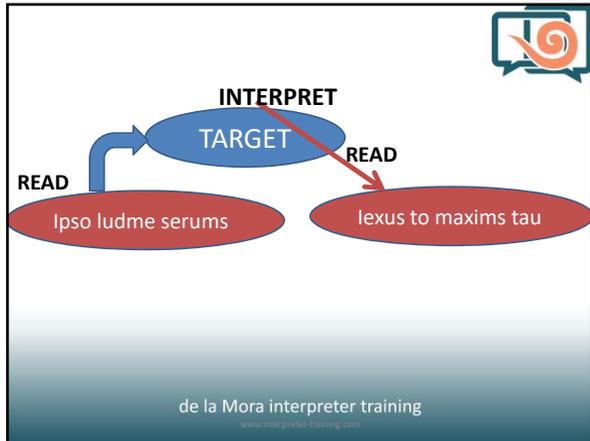
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Sight Translation



- **READING FOR CONTENT**
 - The source is the key
 - What’s the big idea?
- **CHUNKING**
 - Let me break it down for you
- **DELIVERY**
 - Nice and easy

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Sight Translation Delivery Exercises

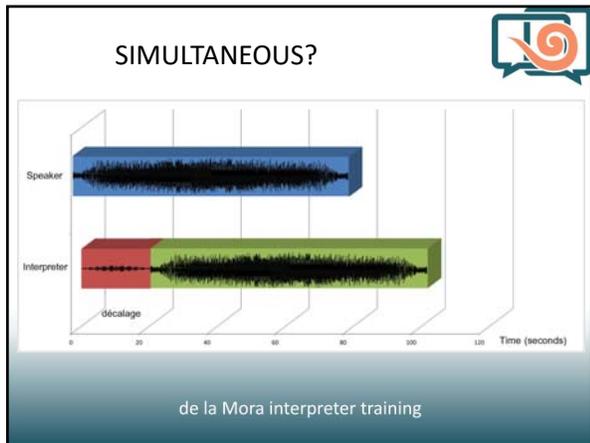
- Reading aloud
- Expanding
- Compressing
- Word/Meaning Substitution

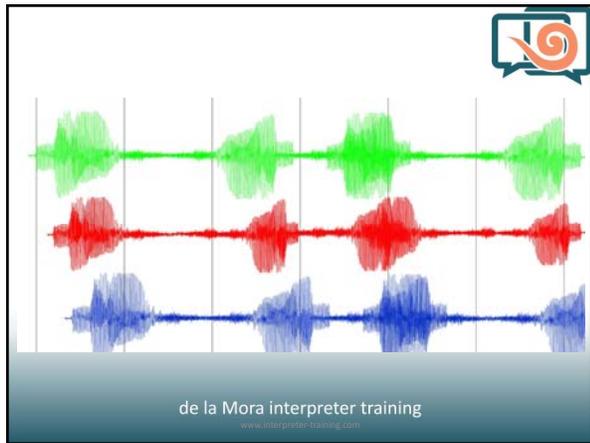
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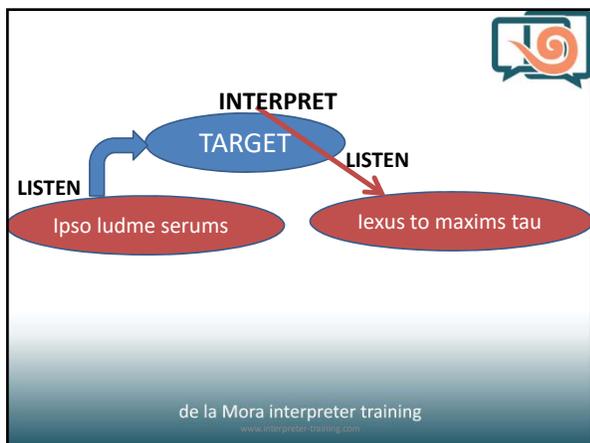
SIMULTANEOUS INTERPRETATION

Unlocking Your Potential

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The perils of code switching



- I didn't mean that.
- Which syntax?

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Speed Translations



- Ask your Doctor
- He was sent packing
- This is a non-smoking facility
- I am in the company of strangers
- Unattended baggage will be removed

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Shadowing



- Target language
- Select media
- Increase "decalage"
- Days:
 1. Shadow
 2. Shadow after 3 words
 3. Shadow after 5 words
 - 4 to 7. Shadow increasing number of words

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Dual Task



- Shadow and write down:
- Numbers from 1 to 100
- Odd Numbers 1 to 101
- Even Numbers 2 to 100
- Alphabet
- Consonants only
- Name, address and social security number
- All of the above

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Word/Meaning Substitution



- Shadow and change:
 - One word every 30 seconds
 - One word every 15 seconds
 - One word every 10 seconds
 - One word per sentence
 - More than one word per sentence
 - As many words as possible

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How do I know?



- Create a baseline
- Record self before starting program
- Keep recording and script
- Record self again after 21 days
- Check against script
- Compare to baseline

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Solution

Peter Lindquist Ph. D.



- **Self-Analysis:**
 - **Identify**
 - Strengths
 - Weaknesses
 - Habits
 - **Develop**
 - Self-awareness
 - Language skills
 - Coping strategies
 - Cognitive load management
 - » Routinization
 - EVS

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The Oral Exam



- Candidate, equipment and proctor(s)
- Everything is “on the record”
- Three portions:
- Sight Translation
 - Two documents: English to Foreign Language and vice versa
 - 225 words and **25 scoring units** on each document
- Consecutive
 - English questions Foreign Language answers
 - 850 words, **90 scoring units**
- Simultaneous
 - 850 words, **75 scoring units**

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How are the Tests Rated?



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SCORING UNITS
What Are They?

- **Underlined words or phrases in the text**
- **Pre-selected items representing special linguistic characteristics.**
- **The language characteristics interpreters must know and render accurately and completely**

From the Faculty Guide: Managing Language Problems: A Court Interpreting Education Program for Judges, Lawyers, and Court Managers

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What Do Scoring Units Look Like on a Test?

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On July 7, 2011, the defendant in this case was observed walking quickly away from a convenience store shortly before it began to rain. He appeared to be intoxicated.

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On **July 7, 2011**^C, the **defendant**^D in this case **was observed**^A walking **quickly**^H away from a **convenience store**^C shortly **before**^I it began to rain. He appeared to be **intoxicated**^B.



- | | |
|-----------------------|-------------------------|
| A: Grammar / verbs | F: Register |
| B: False cognates | G: Numbers / names |
| C: General Vocabulary | H: Modifiers / emphasis |
| D: Legal terminology | I: Position |
| E: Idioms | J: Slang |

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“Think of the goal as the treasure at the top of a stairway, and the objectives as the stairs.”

Craig Miyamoto



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Climbing the stairway



- Find resources, tools, information, simulations, and other content to help meet each of your objectives.
- Review to make sure the content and objectives are helping you achieve the goals.

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Agustín S. de la Mora
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COGNITIVE UNDERSTANDING ASSESSMENT

1. Read everything carefully before you do anything else.
2. Write your name on the right top corner.
3. Write down the name of the Governor of this State.
4. Circle the word top.
5. How many cannons on the code of ethics? _____
6. If you think you are the first one to get to this point write: Yes.
7. Say your name out loud.
8. On the back of the page describe the main difference between misdemeanors and felonies.
9. What are the first three words of the pledge of allegiance?
10. If nobody else has done so, say: "I am the fastest reader in this group"
11. What is the capital of the state in which you were born?
12. Underline the word think.
13. What is the name of the national anthem?
14. Who wrote it?
15. Multiply 16 by 34. _____
16. If you are the first person to get here, say: " I am the first person to reach this point and I am an expert at test taking"
17. Define in three words or less "Capital Punishment"
18. What is the most common street name for methamphetamine?
19. If you don't know the answer to the previous question, ask for the answer out loud.
20. Now that you have finished reading carefully, do only what is asked on question number two, turn the paper over and remain silent.

Methamphetamine arrests in Nevada

On January 24, 2003, members of the Consolidated Narcotics Unit (CNU), which is comprised of Reno Police Department, DEA and other law enforcement agencies, responded to an anonymous tip regarding a possible clandestine laboratory operating in Sparks, Nevada. Based on information from this source, the agents obtained a search warrant and raided a warehouse located on Pine Street. The successful operation led to a seizure of approximately 40 ounces of crystal methamphetamine (Ice), 30 pounds of marijuana, packaging materials and \$47,850.00 in cash.

On January 28, members of the CNU arrested James Bratt and Erik Burns after they were observed distributing one pound of the mentioned controlled substance at a well-known casino in Reno. Apparently the pair had been operating inside the casino for several months; authorities believe they were part of a major drug ring and are looking for more suspects, possibly employees of the establishment.

A search incident to the arrest revealed 9 pounds of “crystal meth” located inside Bratt’s vehicle. Enrique Perez, the alleged ring leader and main distributor of the methamphetamine, was subsequently arrested at his residence located in Sparks. Police confiscated several firearms, electronic scales, computers and records belonging to Perez.

All three defendants were booked into the Washoe County Jail on federal drug charges and appeared before a US Magistrate on January 29, 2003.

(225 words)

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A man who allegedly robbed an elderly Chester County woman, hit her, tied her hands together, and took her medical alert button to prevent her from alerting police was arrested Sunday night with an accomplice in Delaware.

Leonard Bernard, 36, of Philadelphia, and Brianna Mitchell, 41, of Spring City were found at a motel in Dover and arrested after police there received a tip. They are being charged with robbery, burglary, aggravated assault, kidnapping, criminal conspiracy and related charges, according to police.

Police said Bernard forced his way into the 76-year-old woman's West Whiteland Township apartment in the Exton Crossing development around 6:20 p.m.

Saturday. He threatened to cut the woman, who lives alone, police said.

He took the woman's wedding ring, necklace and watch off of her, according to police. Bernard is accused of emptying out drawers in various rooms in her home. Police said he knew exactly where the woman kept jewellery.

His accused accomplice, Mitchell, worked until last month for Caring Bridge, a home health care company the elderly woman used, according to police. Mitchell called the woman an hour or so before the robbery. Police believe she was making sure the woman was home.

After the robbery, Bernard is accused of smacking the woman, pushing her to the ground, and tying her hands together.

(225 words)

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(225 words)

Quito, 15 de septiembre de 2002-09-16 **REF. COURT NUMBER 4820022-MM-013325**

Honorable Juez Long:

Mi nombre es Amparito Luna, nacida el 2 de septiembre de 1955, en Quito - Ecuador, siendo mi nacionalidad ecuatoriana y mi lugar de residencia Quito - Ecuador.

Desde 1994 he visitado los Estado Unidos en calidad de turista. El 27 de agosto del 2002 y mientras realizaba varias compras fui detenida por el personal de seguridad de la tienda J.C. PENNY del Florida Mall de Orlando - Florida, por haber sacado de la tienda un probador de perfume sin precio marcado, para que fuera percibido por mi esposo que se encontraba a la salida de la tienda al interior de la plaza comercial.

Esta situación fue considerada por el personal de seguridad de la tienda como intento de robo del mencionado probador, por lo que éste hecho fué hecho del conocimiento de la policía del Condado de Orange en Orlando, por lo que fui arrestada y conducida a prisión. Posteriormente y luego del pago de la fianza correspondiente recuperé mi libertad. Por lo anterior debía presentarme en el Juzgado de su Presidencia el 8 de octubre del 2002 y responder por el caso: N° 4820022 - MM - 013325 - O levantado en mi contra.

Por ser ciudadana ecuatoriana y encontrarme residiendo en mi país Ecuador, no me es posible presentarme ante usted en la fecha indicada, 8 de octubre del 2002 y responder por el cargo de hurto levantado en mi contra, por lo que solicito a usted que se me permita responder a dichos cargos por medio de escritos y por correo.

Reconozco Señor Juez haber cometido un error sin haber considerado sus consecuencias. No fué mi intención causarle un perjuicio económico a la tienda J.C. PENNY al haber sacado de la tienda, no del "Mall", un artículo sin ningún valor para el establecimiento comercial como era el probador de un perfume que está a disposición del público para su uso libre.

Espero acepte y comprenda la imposibilidad física de presentarme ante la Corte por usted presidida y me conceda la posibilidad de enfrentar el caso por correo y me someto a la sanción que usted me imponga. Le solicito se sirva remitirme su respuesta a la dirección comercial de mi esposo:

12 de Octubre 1561 y Madrid - piso 13

Quito - Ecuador S.A. De usted atentamente (400 words)

Direct Examination of a witness

Good morning Mr. Lopez, please sit down.

Buenos días, gracias.

Sir, going back to **June 15 of 2001**¹ did you happen to go to The Gator Pub that night?

Si señorita, fuimos varios a la cantina esa.

Do you recall² who you went to the pub with and where it is located?

Si **como no**³. Fui con mi esposa y mi hermana, sé cómo llegar pero no sé la dirección exacta.

About⁴ what time did you go to The Gator Pub?

Como a las **ocho y media**⁵ o las nueve de la noche más o menos.

And was there a specific reason you happened to go to The Gator Pub **that**⁶ night?

Si señorita, mi amigo David, es como mi hermano y tenemos un **grupo musical**⁷. Tocamos juntos y siempre andamos juntos. Por eso fuimos a la cantina...a escuchar música y **echarnos un taco**⁸.

This fellow David, **had you worked**⁹ for him or are you friends with him? What was your relationship?

Yo conozco a David desde que éramos chamacos. Hemos trabajado juntos y he tocado en su conjunto desde muy joven. Siempre **ando con él**¹⁰ de cacería, pescando, trabajando, o **de parranda**¹¹.

I see, and what kind of work do you do Mr. Lopez?

Pues trabajo en la construcción. Soy albañil¹², pero también le hago¹³ a la carpintería o colocando¹⁴ azulejos, en fin todo lo que se hace en la construcción.

I see. So you get to The Gator Pub, and did there come a time that you decided to go outside¹⁵ the pub or leave¹⁶ the pub?

Bueno¹⁷, pues nada más fui a checar, ver si las muchachas estaban bien, y ver dónde andaban. Yo siempre tengo la costumbre de vigilar a las muchachas porque tengo varias¹⁸ hermanas.

Tell us at what time you went and checked on¹⁹ the women, if you remember.

Pues yo creo que eran como las diez y media, algo así²⁰, en el primer descanso que tomaron los del conjunto²¹. Yo creo que empezaron a tocar a las nueve, pero no estoy muy seguro de la hora exacta porque no cargo²² reloj.

So what happened after you went outside?

Una de las muchachas vino llorando y me dijo que afuera andaba un tipo con una pistola y que las había asaltado²³.

Let me stop you for a second here. These women you've been talking about²⁴, are you referring to your sister and your wife or someone else?

Bueno, yo salí a ver como estaba mi hermana, pero la que vino llorando era una conocida²⁵ mía, se llama Lupe.

Are you referring to Guadalupe Mendoza²⁶, the victim in this case?

Si pues, se llama Guadalupe, pero todos le dicen Lupe y yo **la conozco**²⁷ desde que ella estaba chica. Su hermano a veces trabaja con nosotros cuando tenemos construcciones grandes.

Okay, so let me bring you back to the story, you were telling **the jury**²⁸ that Guadalupe, Lupe as you call her, **came to you**²⁹ crying and said something about a robbery?

Si, ella corrió para donde yo estaba y me dijo que **un fulano**³⁰ las había asaltado a ella y a **su amiga**³¹ **Rosaura**³². Que las había amenazado con una pistola y les había robado sus bolsas y sus relojes.

Go ahead, what happened next?

Les grité a los otros muchachos para que vinieran a ayudarme a ver si podíamos **agarrar**³³ al **ratero**³⁴. En eso vi que alguien corría rumbo a la carretera y lo empecé a perseguir.

So after you called for the others to help you, did you **start chasing**³⁵ the suspect?

Así es³⁶, vi al tipo que corría y traía una bolsa de mujer en la mano, me di cuenta que era el asaltante y lo seguí pero como estaba oscuro, **lo perdí de vista**³⁷.

So when you were chasing this person, did there come a point in time when you **actually**³⁸ lost sight of this person?

Si, por unos segundos porque estaba **bien**³⁹ oscuro, pero David **me alcanzó**⁴⁰ y me dijo que lo había visto esconderse atrás de unos **arbustos**⁴¹.

Now, before this person **dove into**⁴² the bushes, you said you were running.... What kind of surface were you running on? Do you remember?

Íbamos corriendo en un camino pavimentado.

So it was actually a paved road not a dirt road⁴³ or anything like that.

Si señorita es que ahí afuera⁴⁴ del Gator⁴⁵ hay un estacionamiento pavimentado y del otro lado si es terracería. Yo corrí de donde no hay pavimento hacia donde ya estaba pavimentado.

And at the point⁴⁶ that the person you were chasing ran into the bushes, were you running after⁴⁷ this person by yourself?

Bueno yo y David éramos los que íbamos más cerca, pero escuchamos⁴⁸ a otras personas que nos gritaban desde el parqueo.

Now you mentioned some other people, when did they come into the picture⁴⁹?

Bueno, había gente⁵⁰. Yo los oía que nos gritaban, que gritaban desde el bar que nos regresáramos⁵¹, porque traía pistola. David y yo seguimos corriendo. Finalmente otras personas nos siguieron.

So how long would you say, how much time had gone by⁵² between when you lost sight of the person that went into the bushes and when the person popped up⁵³ out of the bushes again?

Menos de un minuto.

And what happened after the person popped out of the bushes?

Yo vi que **nos apuntó**⁵⁴ con una pistola y oí un ruido seco, me di cuenta que la pistola se le había **encasquillado**⁵⁵. Se lo dije a David y empezamos a correr otra vez para alcanzarlo.

Let's talk about that a little bit. You start chasing the man, then **he hid**⁵⁶ in the bushes and then he points the gun at you?

Exacto, primero lo perseguí yo, luego se escondió en los arbustos, después reapareció y **los dos**⁵⁷, David y yo, lo empezamos a perseguir. Entonces se detuvo, giró y nos apuntó con la pistola.

Do you know if David had seen the gun at this point?

Pues no sé, pero cuando oí que se le encasquilló, se lo dije a mi amigo y lo seguimos persiguiendo rumbo a la **carretera**⁵⁸ **principal**⁵⁹.

Can you **estimate**⁶⁰ the distance between you and this person with the gun when it was pointed at you?

Yo diría que unos ocho o diez metros **a lo sumo**⁶¹.

Do you believe that he was **attempting**⁶² to fire the gun at you?

No tengo ninguna duda de que estaba tirando, tratando de pegarme un balazo a mí, porque yo era el que iba más cerca.

This would be a good time to ask you about your background with **firearms**⁶³. Are you familiar with firearms?

Yo he tenido pistolas desde que tenía como cuatro⁶⁴ o cinco años. A mi papá le gustaba mucho ir a cazar⁶⁵ y siempre tenía armas en la casa.

What kind of firearms are you familiar with?

Conozco bastante de casi todas, escopetas⁶⁶, rifles, pistolas. Le digo, yo he tenido como cien y ni siquiera sé cuántas tengo en este momento. En mi familia a todo mundo le gusta ir a cazar o tirar al blanco⁶⁷.

So can we say that hunting is your main⁶⁸ hobby?

Si señorita soy muy aficionado⁶⁹ a la cacería.

And you mentioned you heard a click. Was it⁷⁰ one click? And did you hear it with you own ears?

Si señorita un ruido seco. Y lo oí clarito⁷¹ porque por allá no hay mucho tráfico y ya de noche casi no hay ruido.

Okay, so after the click what happened?

Pues tratamos de alcanzarlo⁷², porque sabíamos que se le había encasquillado la pistola. Si le damos tiempo a que la destrabe⁷³, no estaríamos aquí para contarlo.

Okay. Well who actually caught up with this person?

David lo alcanzó primero y lo agarró⁷⁴ de las piernas, luego llegué yo y me le eché encima para sujetarlo⁷⁵.

Thank you, no further questions.

Direct Examination of a Witness

Good morning Mr. Lopez, please sit down.

Good morning. Thank you.

Sir, going back to **June 15 of 2001**¹, did you happen to go to The Gator Pub that night?

Yes, miss, a few of us went to that pub.

Do you recall² who you went to the pub with and where it is located?

Yes, **of course**³. I went there with my wife and my sister. I know how to get there but I don't know the exact address.

About⁴ what time did you go to The Gator Pub?

It was around **eight thirty**⁵ or nine P.M.

And was there a specific reason you happened to go to The Gator Pub **that**⁶ night?

Yes, miss. I have **a band**⁷ with my friend David, who's like a brother to me. We play music together and always hang out together. That's why we went to the pub...to listen to music and **get a bite to eat**⁸.

This fellow David, **had you worked**⁹ for him or are you friends with him? What was your relationship?

I've known David since we were kids. We've worked together and I've played in his band since I was very young. We're always **out together**¹⁰ either hunting, fishing, working or **partying**¹¹.

I see, and what kind of work do you do Mr. Lopez?

Well, I work in construction. I'm a **bricklayer**¹² but I also **do**¹³ some carpentry or tile **installation**¹⁴ work, basically all kinds of construction work.

I see. So you get to The Gator Pub, and did there come a time that you decided to **go**¹⁵ **outside**¹⁵ the pub or **leave**¹⁶ the pub?

Well¹⁷, I just went to check up on the girls to make sure they were okay, and to see where they were. I have the habit of watching out for girls because I have **several**¹⁸ sisters.

Tell us at what time you went and **checked on**¹⁹ the women, if you remember.

Well, I think it was around ten thirty, **something like that**²⁰, during the first break that the **band**²¹ took. I think they started playing at nine but I'm not really sure about the exact time because I **don't wear**²² a watch.

So what happened after you went outside?

One of the girls came over to me crying and said there was a guy outside with a gun and that he **had mugged**²³ them.

Let me stop you for a second here. These women you've been **talking about**²⁴, are you referring to your sister and your wife or someone else?

Well, I went out to check on my sister but the one who came over crying was an **acquaintance**²⁵ of mine, her name is Lupe.

Are you referring to **Guadalupe Mendoza**²⁶, the victim in this case?

Well, yeah, her name is Guadalupe but everybody calls her Lupe and I **have known her**²⁷ since she was little. Her brother sometimes works with us when we have big construction jobs.

Okay, so let me bring you back to the story, you were telling **the jury**²⁸ that Guadalupe, Lupe as you call her, **came to you**²⁹ crying and said something about a robbery?

Yes, she ran up to where I was and said that **some guy**³⁰ had robbed her and **her friend**³¹ **Rosaura**³² at gunpoint. That he had threatened them, called them sluts, and stolen their purses and their watches.

Go ahead, what happened next?

I hollered at the other guys to come help me and see if we could **catch**³³ the **thief**³⁵. At that moment I saw someone running toward the road and I began to chase him.

So after you called for the others to help you, did you start chasing³⁵ the suspect?

That's right³⁶. I saw a guy running with a lady's purse in his hand, and I realized he was the prick and followed him, but I lost sight of him³⁷ because it was dark.

So when you were chasing this person, did there come a point in time when you actually³⁸ lost sight of this person?

Yes I did, for a few seconds because it was very³⁹ dark, but David caught up to me⁴⁰ and told me he had seen him duck behind some bushes⁴¹.

Now, before this person dove into⁴² the bushes, you said you were running... What kind of surface were you running on? Do you remember?

We were running on a paved road.

So it was actually a paved road, not a dirt road⁴³ or anything like that.

Yes, miss. There's a paved parking lot right outside⁴⁴ the Gator⁴⁵, but on the other side it's dirt road. I ran from where there's no pavement to where it's paved.

And at the point⁴⁶ that the person you were chasing ran into the bushes, were you running after⁴⁷ this person by yourself?

Well, David and I were closer to him but we heard⁴⁸ other people hollering at us from the parking lot.

Now you mentioned some other people, when did they come in the picture⁴⁹?

Well, there were people⁵⁰ there. I could hear them hollering at us, hollering from the bar for us to come back⁵¹ because he had a gun and it was too dangerous. David and I keep running. Eventually other people follow us.

So how long would you say, how much time had gone by⁵² between when you lost sight of the person that went into the bushes and when the person popped up⁵³ out of the bushes again?

Less than a minute.

And what happened after the person popped out of the bushes?

I saw him point⁵⁴ a gun at us and I heard a click. I realized that his gun had gotten jammed⁵⁵. I told this to David and we started running again to catch up with him.

Let's talk about that a little bit. You start chasing the man, then he hid⁵⁶ in the bushes and then he points the gun at you?

Exactly, first I chased him, then he hid in the bushes, then he popped up again and the two of us⁵⁷, David and I, started to chase him. Then he stopped, turned around and pointed his gun at us.

Do you know if David had seen the gun at this point?

Well, I don't know, but when I heard it get jammed, I told David it was on and we kept on chasing him toward the main⁵⁸ road⁵⁹.

Can you estimate⁶⁰ the distance between you and this person with the gun when it was pointed at you?

I would say about eight to ten yards, at most⁶¹.

Do you believe that he was attempting⁶² to fire the gun at you?

I have no doubt that he was shooting, trying to take me out, since I was the one who was closest to him.

This would be a good time to ask you about your background with firearms⁶³. Are you familiar with firearms?

I've had guns since I was about four⁶⁴ or five years old. My dad loved to go hunting⁶⁵ and he always had guns in the house.

What kind of firearms are you familiar with?

I am pretty familiar with almost all kinds: shotguns⁶⁶, rifles, pistols. I'm telling you, I've owned about a hundred of them and I don't even know how many I have currently. In my family everyone loves going hunting or target shooting⁶⁷.

So can we say that hunting is your main⁶⁸ hobby?

Yes, miss, I'm a big fan⁶⁹ of hunting.

And you mentioned you heard a click. Was it⁷⁰ one click? And did you hear it with your own ears?

Yes, miss, a click. I heard it clearly⁷¹ since there's not a lot of traffic out there and hardly any noise at night.

Okay so after the click what happened?

Well, we tried to catch up with him⁷² because we knew his gun had jammed. If we had given him the chance to get it clear and cocked⁷³ again, we wouldn't be here to tell about it.

Okay. Well who actually caught up with this person?

David caught up with him first and grabbed him⁷⁴ by the legs, then I got there and threw myself on top of him to hold him down⁷⁵.

Thank you, no further questions.

Arraignments

Welcome to **arraignments**. The purpose of these proceedings is for you **to enter** a plea to the **charge** that is pending against you. When you come to the podium, **the Court** will advise you of your charge, inform you whether it is a first or second-degree misdemeanor and you will need to enter your **plea**.

Since these proceedings are being recorded, **please** do not say anything about your case until after you have entered your plea. Anything you say can be used against you **should you** proceed on a not guilty plea.

As you know you have three plea options: guilty, not guilty or **no contest**. If you plead not guilty, you **deny** the charge against you and retain all **the rights** listed on the front of the plea form that you have read. If you plead guilty, you admit the charge against you, **give up** all the rights listed on the front of the **plea form** and the Court will pronounce a sentence. If you plead no contest, you neither admit nor deny the charge against you, give up all the rights listed on the front of the plea form and the Judge will sentence you **accordingly**. If you enter a not guilty plea, your case will not be resolved today. In that case, you will be required to return to the courthouse for further proceedings.

If you have not already **retained** an attorney, or don't think you can afford to retain one, and you are requesting the Court **to appoint** the public defender, please have your **financial affidavit** completed and signed. The Court will review your affidavit and, if you qualify, appoint the **public defender** to represent you in this case.

If the public defender is appointed to represent you, it will be your responsibility to do the following:

First you will be required to pay an **application fee** within 7 days for the services of the public defender. You will also be required to contact the public defender's office **within 10 days** to arrange a meeting with your attorney. The clerk will provide you with the information you will need to get in touch with the public defender's office. Finally, I must inform you that while a public defender may be less expensive than a private attorney,

the services of the public defender are not free. **Therefore**, you will be required to pay a reasonable fee for the **legal services** you receive as a defendant in these **proceedings**. This fee will be assessed at the conclusion of your case.

If you plead either guilty or no contest, your case will probably be resolved today and when you leave, you will know what your sentence will be. However, in some cases, it may be necessary **to postpone** sentencing. If that were necessary, the Court will advise you when your next court appearance will take place.

The minimum and maximum sentences that **you face** today depend on the charges:

If you are charged with a misdemeanor, you could be sentenced **as follows**:

- A minimum of zero days in the **county jail** up to a maximum of one year.
- A minimum of zero days on county **probation** up to a maximum of one year,
- A minimum fine of zero dollars up to a maximum of **one thousand** dollars.

Also, if you enter a plea of guilty or no contest to the charge of possession of **20 grams** or less of **cannabis** and the Court finds you guilty, your **driving privileges** in this state will be suspended for 2 years. Additionally, as part of any sentence, you will be assessed criminal **court costs**.

In order for you **to fulfill** your financial obligations, the Judge will set a payment schedule for all **monetary amounts** you are ordered to pay. Should you **fail to make** your payment on time and do not **appear** at the next scheduled Collections Court date, the **presiding** Judge can charge you with contempt of court, issue **a warrant** for your arrest and **you could be sent** to jail.

Because the cases in here today are **criminal cases**, the Court can sentence you to jail if you plead guilty or no contest. Depending upon the charge, and any **prior criminal record** you may have, jail may be appropriate. If you are concerned about a possible jail sentence, please **don't hesitate** to ask the Judge if you will go to jail should you enter a guilty or no contest plea.

When you are finished at the podium please **remain** in the **courtroom** until you receive your copy of the Judge's disposition. This is your record of today's proceedings.

If you are not a U. S. citizen, a plea of guilty or no contest could result in your **deportation**. If you are not a U. S. citizen, **you may wish** to enter a plea of not guilty and consult with an attorney.

If you wish **to appeal** your sentence, your appeal **must be filed**, in writing, within 30 days of **today's date**. If you wish to appeal and don't think you can afford to retain an attorney to represent you, you can request the Court to appoint the public defender. If you are going to request that a public defender be appointed to represent you, you must fill out an affidavit of insolvency. If you are interested in appealing your sentence, **the clerk** can provide you with more information.

Please make sure that all forms you will be using today are completely **filled out** and signed.

The clerk will call about 10 people **at a time**. Please respond **out loud** when your name is called and then **line up** in the center aisle where **the gates** open. You will be called to the podium one at a time in the order in which your name was called.

Thank you.

PROVERB COMPLETION

God helps those _____

Between the hand and the lip, _____

A closed mouth _____

To make a mountain _____

He who is born to be hanged _____

Jack of all trades _____

No lock will hold _____

Brain is better _____

Live by the sword, _____

Better die with honor _____

Better to be king of the hill _____

A man is judged by _____

One bird in hand _____

Birds of the same feather _____

Between a rock _____

It cost an _____

It's the pot calling _____

You cannot make a silk purse _____

In the country of the blind _____

A stitch in time _____

God helps those who help themselves
Between the hand and the lip, the morsel may slip
A closed mouth catches no flies
To make a mountain out of a molehill
He that is born to be hanged shall be never drowned
Jack of all trades and master of none
No lock will hold against the power of gold
Brain is better than brawn
Live by the sword, die by the sword
Better die with honor than live with shame
Better to be king of the hill than prince of the mountain
A man is judged by the company he keeps
One bird in hand is better than two in the bush
Birds of the same feather flock together
Between a rock and a hard place
It cost an arm and a leg
It's the pot calling the kettle black
You cannot make a silk purse of a sow's ear
In the country of the blind the one-eyed man is king
A stitch in time saves nine

DO YOU SPEAK LEGALESE? PRACTICAL COURTROOM PHRASES

1. State your full name and spell the last name for the record.
2. Do you understand the charges I just read to you?
3. Do you swear to tell the truth, and nothing but the truth, so help you God?
4. Please introduce yourself to the jury.
5. Let me rephrase that question.
6. What, if anything, did the defendant say to you?
7. Going back to the night of....?
8. Are you now, or have you ever been, under psychiatric care?
9. Tell the members of the jury what he was wearing, if you remember.
10. On the day in question, were you questioned by law enforcement?
11. Would it refresh your recollection?
12. Please stand up, raise your right hand and face the clerk.
13. Are you under the influence of any drugs, medication or alcohol?
14. At this time the witness is excused.
15. Did your attorney explain to you the sentencing guidelines?
16. Did the defendant, at any time, point his weapon at you?
17. Objection, Your Honor, counsel is badgering the witness.
18. May I approach the witness?
19. Are you entering this plea freely and voluntarily?
20. Has anybody threatened or coerced you?
21. I withdraw my objection.
22. We move for a mistrial.
23. At this time we move for a Judgment of Acquittal.
24. Is the defense ready to proceed?
25. I am holding you in contempt of court.
26. The jury will disregard the previous statement.
27. We presented a motion to suppress.
28. How do you plea to the charges?

29. If you are indigent, The Court can appoint an attorney to represent you.
30. Counsel is leading the witness, Your Honor.
31. Are you disputing the results of the breathalyzer?
32. At this time, I am denying your motion without prejudice.
33. Are you a convicted felon?

FORMULAIC Q&A

1. Are you familiar with a device known as a breathalyzer?
 - a. I think so, isn't that the little gizmo that the cops use to find out if you are drunk or something like that?

2. Directing your attention to People's Exhibit Number thirty four in evidence, can you tell the court what is exhibit 34?
 - a. If I am not mistaken, that is one of the photographs that my buddy Oswald had taken of the car right after the accident occurred. He was very concerned about his brand new ride you know?

3. Do you swear that this is a true and accurate statement?
 - a. Of course I do, I'm telling it like it is. You asked me to tell you what I remembered and that's what I did. I have no doubt that it was Billy who shot at the police. I don't care what they say.

4. Do you wish to say anything before sentence is imposed?
 - a. First of all I want to apologize to the victim's family. I know that what I did to them was horrible; I shouldn't have been driving that day. I also want to ask forgiveness from my family, they too have suffered a great deal as a consequence of my addiction.

5. Did you notice anything about the person you saw in the store?
 - a. Not at the beginning. But when he took out the gun, I was close to him and I noticed that he only had three fingers on his left hand, the thumb, the ring finger and the pinky. He also had a tattoo of a motorcycle on his right shoulder.

6. Did there come a time when you decided to quit the gang?
 - a. Yes, right after my brother was killed. I also had a girlfriend and a baby on the way. I tried to convince the guys to let me go but they told me I knew when I got in that the only way out was in a pine box.

PLACES

Courthouse

Courtroom

Judges Chambers

Bench

Defense Table

Prosecution Table

Podium

Jury Box

Witness Stand

Holding Cell

Gallery

Railing/Bar

PEOPLE

Judge

Clerk

Prosecutor

Defendant

Defense Attorney

Prosecutor

Bailiff

Court Reporter

Clerk

Witness

Expert Witness

Eye Witness

Victim

Law Enforcement Agent

Interpreter

Victim's Advocate

Probation Officer

DOCUMENTS

Arrest Warrant

Search Warrant

Plea Agreement

Charging Affidavit

Affidavit of Insolvency

Plea Form

Notice of Appearance

Notice of Appeal

Summons

Subpoena

Request for Hearing

Pre-sentence Report

Traffic Citation

PROCEEDINGS

Arrest

Bond Hearing

Sentencing

Trial

First Appearance

Motion Hearing

STAGES OF CRIME PERSECUTION

Commission of Crime

Investigation

Arrest

Booking

First Appearance; Probable Cause

Indictment or Charge by Information

Arrest

Plea

Pre-trial Hearings

Trial

Verdict

Guilty

Acquitted

STAGES OF A JURY TRIAL

Jury Selection: Voir dire, Challenges (Peremptory or For Cause)

Jury Impaneling; Swearing of the Jury

Jury Instructions on Trial Procedure

Opening Statements

Prosecution Presentation of Evidence

Prosecution Rests

Motion for Judgment of Acquittal by Defense

Defense Presentation of Evidence

Defense Rests

Closing Arguments

Jury Instructions on the Law

Jury Deliberations (if Hung Jury Judge declares Mistrial)

Verdict

Sentencing

PENALTIES

Incarceration

Prison Time

Probation

Fines

Community Service

CRIMES:

FELONIES

Murder

Drug Trafficking

Rape

Robbery

Burglary

Possession of Drugs

Manslaughter

Aggravated Child Abuse

Assault with a Deadly Weapon

Grand Theft

MISDEMEANORS

Petty Theft

DUI

Battery

Solicitation for Prostitution

Criminal Mischief

Possession of less than 28 grams of Cannabis

Disorderly Conduct

GRAMMAR BASICS

ME, MYSELF AND I

A million well-meaning parents are to blame for the rampant abuse of the letter *I*. "It's Adam and *I*, not Adam and *me*." How many times have you heard that? The thing is, sometimes "Adam and me" is correct. It depends on whether you are the subject or object of the sentence.

Are you glazing over yet? I understand and sympathize. But don't worry. There's an easier way to remember whether you should say *I* or *me*: Leave Adam out of the equation.

If you're asking yourself, *Hmmm, is it "Adam and I went to the store," or "Adam and me went to the store,"* just try thinking of the problem without Adam. You wouldn't say "Me went to the store," would you? So "Adam and I" it is. Nor would you say "Lucy gave I the ball." Which is why "Lucy gave Adam and me the ball" is correct.

(By the way, when you want to get fancy and use the word *myself*, use it only for emphasis. It's not a substitute for *me*. "I love grammar, myself," you might say, when discussing language with your friends. But don't say, "Give myself a potato chip, please." Or "Talk to myself about your problems.")

AVOID "X RATED" EXPRESSIONS

They're not actually X-rated, but if you think about them that way you can remember that there is no *x* in *etcetera*. Nor is there one in *espresso*. *Etcetera* is Latin. It means "and the rest." *Espresso* is Italian, and it describes how coffee is "pressed out." It doesn't have anything to do with speed and therefore is not related to the word *express*. Although it can certainly speed you up if you drink it.

BE EFFECTIVE, NOT AFFECTED

Affect is a verb. Look at the *a* in *affect* and think "action." *The movie affected her greatly.* *Effect* is a verb or a noun. It's most commonly used as a noun. *The movie had an effect on her.* As a verb, *effect* means to bring something about, especially a change. Encarta World English Dictionary offers this example: *They effected their escape through a rear*

window. But there's no difference between saying that and saying "They escaped through a rear window," so you should always think twice before using *effect* as a verb

LET'S GET LITERAL

When people say things such as, "His breath literally knocked me dead," I wonder for a minute how they managed to come back to life without looking, you know--rotten. And then I realize that they're using *literally* when they mean *figuratively*. If something literally happens, it means that it actually happens. It's ridiculous to say "literally" when you mean the opposite. The best way to avoid this language mangling is to keep the word *literal* out of your sentences unless you really mean it, and you want your listener to know the cat really did jump three feet in the air when she saw the dog.

Irregardless is not a word, regardless of the fact that people sometimes use it as one.

BE ACCURATE, MORE OR LESS

There's a difference between *less* and *fewer*--and if you use these words correctly, you will really sound like you've got a high-powered brain sitting atop your shoulders. Use *fewer* when you're talking about things that can be counted, such as individual hairs and snowflakes. Use *less* when you're talking about things that refer to general quantities, such as hair and snow.

Use and *utilize* generally mean the same thing. Why use those extra letters if you don't need to? Most words ending in *-ize* should be euthanized.

A UNIQUE KIND OF ERROR

Unique means "one of a kind." Therefore, despite what the salesman tells you, something can't be "completely unique." It either is unique, or it isn't. Just like it's unanimous, or it's not. Or there is consensus, or there isn't. (General Consensus should only be mentioned if you're talking about a gladiator by that name.)

Once your ears get sensitive to this mistake, you'll hear it and related mistakes everywhere. What's up with NBC promoting "all new" episodes of their TV shows? Does this mean that some shows are only partially new? (Trust me, they feel only partially new.)

Is sounding smarter something you still could care less about? If that's the case, then I've done my job. If you *couldn't* care less, I would be worried. Unless, of course, you cared so little that you didn't care enough to care less. Gulp.

FOUR BONUS TIPS

1. Using more words doesn't make you sound smarter. Just more nervous. This means you can permanently abandon "as to whether" and "at what point in time" for "whether" and "when."

Also, next time you're recording an answering machine message, you don't have to say, "I'm unable to answer the phone at this time."

"I can't talk now. Please leave a message," will do just fine.

2. Don't say *decimate* if you mean *obliterate*. *Decimate* means to destroy 10 percent of something. *Obliterate* means to destroy something completely.

3. If something happened at 6 AM, you need not mention that it was 6 AM in the morning (since *AM* means "before noon") unless you are, in fact, an alien whose world runs on a different time schedule altogether.

4. Wonder when to use *i.e.* and when to use *e.g.*? When you're listing examples, use *e.g.* It's short for *exempli gratia*, which means "for the sake of example" in Latin.

When you're explaining something, use *i.e.*, which is short for *id est*, or "that is." I can never remember the Latin, so I cheat here. "In essence" starts with the same letters. If you can use "in essence" and still have your sentence make sense, use *i.e.* Otherwise, use *e.g.*

I like big dogs, *e.g.* St. Bernards, Golden Retrievers, and Bernese Mountain Dogs. I like Golden Retrievers and St. Bernards, *i.e.* big dogs.

PARTS OF SPEECH

Parts of Speech, words classified according to their functions in sentences, for purposes of traditional grammatical analysis Eight parts of speech are usually identified: nouns, adjectives, adverbs, prepositions, conjunctions, pronouns, verbs, and interjections. Most of the major language groups spoken today, notably the Indo-European languages and

[Semitic languages](#), use almost the identical categories; Chinese, however, has fewer parts of speech than English.

NOUNS

A noun (Latin *nomen*, “name”) is usually defined as a word denoting a thing, place, person, quality, or action and functioning in a sentence as the subject or object of action expressed by a verb or as the object of a preposition. In modern English, proper nouns, which are always capitalized and denote individuals and personifications, are distinguished from common nouns. Nouns and verbs may sometimes take the same form, as in Polynesian languages. Verbal nouns, or gerunds, combine features of both parts of speech. They occur in the Semitic and Indo-European languages and in English most commonly with words ending in *-ing*. Nouns may be inflected to indicate gender (masculine, feminine, and neuter), number, and case. In modern English, however, gender has been eliminated, and only two forms, singular and plural, indicate number (how many perform or receive an action). Some languages have three numbers: a singular form (indicating, for example, one book), a plural form (indicating three or more books), and a dual form (indicating, specifically, two books). English has three cases of nouns: nominative (subject), genitive (possessive), and objective (indicating the relationship between the noun and other words).

ADJECTIVES

An adjective is a word that modifies, or qualifies, a noun or pronoun, in one of three forms of comparative degree: positive (*strong, beautiful*), comparative (*stronger, more beautiful*), or superlative (*strongest, most beautiful*). In many languages, the form of an adjective changes to correspond with the number and gender of the noun or pronoun it modifies.

ADVERBS

An adverb is a word that modifies a verb (he walked *slowly*), an adjective (a *very* good book), or another adverb (he walked *very* slowly). Adverbs may indicate place or direction (*where, whence*), time (*ever, immediately*), degree (*very, almost*), manner (*thus, and*

words ending in *-ly*, such as *wisely*), and belief or doubt (*perhaps, no*). Like adjectives, they too may be comparative (*wisely, more wisely, most wisely*).

PREPOSITIONS

Words that combine with a noun or pronoun to form a phrase are termed prepositions. In languages such as Latin or German, they change the form of the noun or pronoun to the objective case (as in the equivalent of the English phrase *give to me*), or to the possessive case (as in the phrase *the roof of the house*).

CONJUNCTIONS

Conjunctions are the words that connect sentences, clauses, phrases, or words, and sometimes paragraphs. Coordinate conjunctions (*and, but, or, however, nevertheless, neither...nor*) join independent clauses, or parts of a sentence; subordinate conjunctions introduce subordinate clauses (*where, when, after, while, because, if, unless, since, whether*).

PRONOUNS

A pronoun is an identifying word used instead of a noun and inflected in the same way nouns are. Personal pronouns, in English, are *I, you, he/she/it, we, you* (plural), and *they*. Demonstrative pronouns are *this, that, and such*. Introducing questions, *who* and *which* are interrogative pronouns; when introducing clauses they are called relative pronouns. Indefinite pronouns are *each, either, some, any, many, few, and all*.

VERBS

Words that express some form of action are called verbs. Their inflection, known as conjugation, is simpler in English than in most other languages. Conjugation in general involves changes of form according to person and number (who and how many performed the action), tense (when the action was performed), voice (indicating whether the subject of the verb performed or received the action), and mood (indicating the frame of mind of the performer). In English grammar, verbs have three moods: the indicative, which expresses actuality; the subjunctive, which expresses contingency; and the imperative, which expresses command (*I walk; I might walk; Walk!*)

Certain words, derived from verbs but not functioning as such, are called verbals. In addition to verbal nouns, or gerunds, participles can serve as adjectives (the *written* word), and infinitives often serve as nouns (*to err* is human).

INTERJECTIONS

Interjections are exclamations such as *oh*, *alas*, *ugh*, or *well* (often printed with an exclamation point). Used for emphasis or to express an emotional reaction, they do not truly function as grammatical elements of a sentence.