

How To Hire a Translation Agency

8 Steps Every Legal Team Should Take
To Find the Right Translation Partner

eBook

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Intro

Choosing the right legal translation provider can help in-house legal departments and law firms support strategic growth while controlling costs and minimizing risk. In this practical guide to hiring a translation agency, we discuss eight key steps to take when choosing a vendor, ranging from assessing domain knowledge to managing liability and security.

It is a familiar scenario: the in-house legal department receives a call from an internal business unit or subsidiary. Leadership has an important matter concerning an overseas territory that they need the legal department to manage. Translation will be required and the budget and timeline are tight. The in-house counsel sizes up their options and calls their trusted legal advisor. Does he have a local contact they could use, and how much will it cost?

Such a scenario can cause a sharp intake of breath for even those legal departments or law firms that have a well-managed network of global advisors or agents in place. The local firm in that jurisdiction may not have the necessary domain knowledge for the legal matter in question for instance. Alternatively, it may be cost prohibitive or unfeasible to use local agents. That local firm may still be charging by the hour for the specific task, for example, or the legal matter or 'routine translation' may be far down the priority list or could cause a conflict with an existing client.

There can be issues of consistency or quality too. Where work is scheduled as a one-off and under time or budget constraints, how can you be sure that the translations will be watertight? Legal documents may not be scrutinized until they are needed most – for example, during a legal claim or court proceedings, or as part of due diligence for a corporate transaction. If quality is not assured now, there is a real risk that the company or its law firm will pay later either by additional costs, or legal exposure.

From the perspective of litigation, inadequate investigation (or discovery) carries its own risks. Not only can it undermine a business's case, but 'failure to gather all evidence' to assist their clients' cases was one of the [10 common reasons](#) for legal malpractice claims in the U.S., according to research released by legal insurance provider Embroker in March 2021. 'Missed deadlines' was another.

5 Reasons Legal Documents Require Professional Translation Support



1 . Domain Knowledge

Successfully navigating the global legal landscape requires the ability to adapt corporate procedures to the relevant jurisdiction, including key differences triggered by common and civil law systems, and knowledge of national legislation and jurisprudence.



2 . Local Knowledge

A country's laws and jurisprudence go hand in hand with its legal language and with the required formalities, from the types of official documents to rules about formatting and submission, including the need for formal certification, legalization, notarization, or affidavits.



3 . Certifications of Accuracy

Depending on the document or legal process, certified translations may also be required by businesses, courts, or government agencies. Certification gives those parties that rely on the documents the added confidence that the legal translation has met a certain standard.



4 . The Right Language

The language of the law – also known as 'legalese' – uses specific terminology, phrasing, and grammar, which can differ drastically between legal disciplines and industry sectors, and between different countries, regions, and even states. To translate it effectively requires specific legal and subject matter knowledge in both jurisdictions, as well as insight into the different formalities and procedures at play.



5 . Risk Mitigation

A company's entire legal case can hinge on the quality of their translations. Errors and inaccuracies raise questions and can undermine a company's legal proceedings or jeopardize its case. In addition, having to find and correct errors introduces additional cost and takes time, meaning that both profit margins and schedules are negatively affected.

Providing Consistency Across All Operations

Working with a Language Service Provider (LSP) that provides translations across all relevant legal fields, from corporate transactions to cross-border litigation, helps to streamline legal translation tasks and build consistency into all translations.

As lawyers and attorneys know all too well, translating legal text is not the same as translating standard documents. The influence of ordinary language coupled with insufficient knowledge of law and practice has the risk of materially changing the legal context or scope of a document to its detriment. For instance, 5% of contract disputes in China relate to poor translation, including a 2011 dispute caused by the mistranslation of “except fuel used for domestic service” to “except fuel used for domestic flights.”

As law firms typically focus on specific practice areas, in-house legal departments have to use a diverse network of external law firms for each of their legal needs, relying on one specialist for patent filings and another for labor and employment law, for instance. While the technical expertise of the different providers is crucial in such scenarios, so too is the need to ensure consistent quality in translations, securely, and to set deadlines.

Using multiple translation suppliers can be not only time-consuming and inefficient but also risks undermining efforts to accomplish a consistent quality standard cost-effectively. LSPs, in contrast, focus solely on translation consistency and quality, partnering with in-house legal departments and law firms to provide a single trusted resource for translations and guaranteeing delivery to tight timeframes and pre-set budgets.

Choosing the Right Provider: A Step-by-Step Guide

Today's in-house legal departments and law firms are having to operate in an increasingly global marketplace. Those working in patent filing litigation, antitrust laws, corporate and commercial litigation and arbitration, contracts and agreements, global compliance and privacy, pro bono initiatives, corporate transactions, and maritime law all have a need for accurate, legally binding translations. As the need for translation grows, so too do the risks and potential costs of getting it wrong. Avoid the potential pitfalls with our step-by-step guide to choosing a provider.

Step One: Identify Your Legal Needs

It may seem obvious, but accurately translating legal text, also known as "legalese", requires in-depth knowledge of law and the technical domain (or subject matter) of the legal matter. For example, to translate a patent litigation document for a pharmaceutical patent requires a translator to be well versed in chemistry and the language and culture in which the litigation is being conducted. The linguist will need to understand the entirety of the litigation process from start to finish to accurately and appropriately translate the related documents.

Your chosen translation vendor needs an in-depth understanding of the differences between national legal systems as well as the idiosyncrasies of the local legalese, as these all impact vocabulary choice. Equally important is knowledge of the technical or scientific field or discipline to be covered by the legal text.

Step Two: Chart the Workflow

Time is of the essence in legal matters, whether you're conducting pre-litigation discovery or preparing a company for merger or sale. Understanding your translation requirements early in the process is crucial for timely preparation of the required documents, including certification, and allowing time for all of the necessary review and approval processes.

Step Three: Match Those Requirements With Providers

Does your LSP have the necessary domain knowledge, available languages, and turnaround times that you and your clients need? Not all LSPs provide legal translations, and it may be that your existing vendor cannot provide the complete support you need across all fields and industries.

It is also appropriate and advisable to request references from any agency you consider working with. Do not hesitate to ask for references in your same field to ensure that the vendor has relevant previous experience.

Step Four: Consider Your Security, Confidentiality, and Governance Requirements

No matter the content of your documents, your translation vendor should always have processes in place to ensure the security and protection of your confidential information both in transit and within their systems. Ideally, your chosen vendor should possess ISO certification and/or SOC 2 Type II security certificates. Be sure to discuss these issues in advance of sending content to your vendor.

Step Five: Make Sure You're Covered

Include conversations about liability coverage in your vendor selection process. Your vendor should carry errors and omissions coverage at levels commensurate with the financial penalties that are commonplace in your area of specialization. Request proof of coverage to ensure that you are protected against translation mistakes, negligence, and data breaches.

Step Six: Manage Costs

No one wants to deal with hidden charges and unexpected costs. Professional LSPs will always provide you complimentary quotes that clearly detail all costs, often itemized by language. Any changes to the quoted costs should be communicated to you by your project manager for approval in advance of being added to your project total.

Step Seven: Run a Trial

If time allows, run a trial translation project with the providers you are considering. This will allow you to compare costs, turnaround times, and customer service across all of your potential vendors. Most LSPs will complete small sample translations (of 500 words or less) for free, but may charge for larger trials. If your budget allows, it is best to request trial translations using at least 2,500-5,000 words of source content. This will give you the best sense of whether each vendor can meet your needs.

Step Eight: Extend the Partnership

Once you have successfully completed a trial translation and selected a vendor, consider learning everything you can about the additional benefits and services your vendor offers. For example, BIG IP Language Solutions utilizes various tools that help ensure consistency within documents and across multiple related projects by capturing and cataloging frequently-used, specialized words and phrases into glossaries that can be accessed during translation. BIG IP's specialized workflows also streamline and expedite the translation process, ensuring both high quality and timely delivery of documents.



Why Hire a Translation Agency?

While many businesses operate globally, the same cannot be said for the legal system that supports and controls their activities. Comprised of various national laws and cultural perspectives, the international legal system is made up of a patchwork of different legislations, regulations, and treaties, all with diverse and often inconsistent approaches to legal rules, procedures, timeframes, and costs.

For in-house legal departments and their external law firms to navigate this global legal landscape requires access to local specialists in key jurisdictions. Traditionally, in-house teams have had no choice but to build a network of external advisors to meet their ever-changing needs. Meanwhile, law firms have moved to open new offices, merge with or acquire local firms, or build up their own managed agent network through partnerships with local firms. In both of these scenarios, outsourcing legal translations to a professional translation agency offers a quicker, consistent, and more cost-conscious alternative to utilizing unqualified, unreliable resources.

Global Reach, Local Expertise

BIG IP Language Solutions supports law firms and in-house legal departments in fulfilling a wide range of translation requirements across diverse practice areas. Our expertise spans a wide range of legal disciplines in over 200 languages, and guarantees you the translation support you need to successfully navigate legal matters on a global scale.

Security First

We take a 360-degree approach to the translation process, looking at the bigger picture to extend security beyond our internal platform so that all touchpoints – people, processes, and technology – are fully secure. Our entire translation approach and IT infrastructure are compliant with ISO standards 9001, 17001, and 27001 for quality, impartiality, and IT security, and we are SOC 2 Type II audited.

A Trusted Methodology

We follow a three-step quality process for every translation that we deliver. Our process ensures we deliver authoritative and accurate legal translations that support your success and help you mitigate unnecessary risk:

1. Expert Translation Done by a Qualified Professional

Each legal translation begins with an experienced linguist with an advanced degree in your specific subject matter. We require all linguists to pass a robust proficiency test that is overseen by our senior in-house team. Less than 6% of candidates pass this initial stage. Those who do must complete additional interviews and tests that allow us to further assess their educational background, language and translation proficiency, and area of industry expertise.

2. Independent Reviews

Your translation is independently reviewed for syntax, grammar, and legal compliance by a linguist who holds an advanced degree in the relevant field. Patent translations are further reviewed by an in-country patent attorney to ensure technical accuracy and adherence to local patent office formatting requirements.

3. Final Quality Assurance Review & Project Requirements Evaluation

Finally, a dedicated project manager packages and delivers the translation in accordance with your specific instructions.

BIG IP Language Solutions is a global leader in legal translation services, providing specialized services across more than 200 languages. Drawing on 50+ years of experience, our united team of technical translation specialists provides prompt, secure, and cost-effective solutions to law firms and legal departments for both routine and time-sensitive legal matters. Whether we're supporting global patent applications, legal transactions, antitrust legislation, mergers & acquisitions activities, or litigation, our stringent quality assurance protocols ensure commercially sensitive data and documents are safeguarded and translated to the highest standard. [Contact us](#) to discuss your legal translation needs.

Find out what makes us different.

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Our family of companies includes BIG IP, ISI Language Solutions, Protranslating, Language Link, and DWL, bringing over 150 years of combined expertise with offices in 26 locations worldwide. Through our portfolio, we customize and deliver language services in more than 240 languages and dialects.