US-China Foreign Language, April 2026, Vol. 24, No. 4, 148-155
doi:10.17265/1539-8080/2026.04.002

On the Construction of a Note-Taking Scheme in Court Interpreting: In Terms of the Courtroom Linguistic Features

REN Rui, ZHAI Yuehan
Northeastern University, Shenyang, China

This study redefines note-taking in court interpreting through the lens of notion of scheme (σχῆμα), the rational, perceptible structure through which ideal forms become manifest in the sensible world. It argues that effective note-taking depends not on recording what is said, but on externalizing what makes saying it meaningful: the underlying scheme of accusation, control, and argument that organizes adversarial discourse. The study conducts a corpus analysis of a distinct courtroom settings: the adversarial cross-examination, with high-frequency three-word lexical bundles extracted and functionally annotated following a chunk-based approach. The corpus exhibits a high concentration of confrontational chunks, and particular focus is given to constructions related to "I put it to you." Building on this insight, the study proposes a schema note-taking framework in which symbols encode logical relations, illocutionary force, and interactional dynamics. It also highlights limitations in current artificial intelligence (AI)-assisted interpreting systems. Finally, the study proposes an open discussion that the interpreter's justice lies not in procedural neutrality but in schema judgment. A note is not a record of words, but a sketch of order that must, against all contingency, hold.

Keywords: note-taking, court interpreting, prefabricated chunks, adversarial schema, corpus analysis

Introduction

Courtroom discourse is often heard as a clash of voices where questions are pressed, answers are resisted, authority are asserted, and truth are contested. Yet, beneath this audible surface lies something quieter and more enduring: A structure that orders the exchange, a logic that shapes the movement from allegation to admission, from uncertainty to judgment. It is within this tension between surface and structure that court interpreting takes place. For the interpreter, the task is therefore not simply to follow language as it passes, but to grasp the form that gives it meaning.

Yet, traditional note-taking practices remain bound to the lexical surface. In a setting where meaning is constructed through strategy, including leading questions, confrontational moves, and the subtle control of discourse, such an approach proves insufficient. To interpret effectively is not to remember more words, but to perceive more clearly the scheme that organizes them.

This study advances a different premise that courtroom note-taking should be oriented toward structure rather than lexis. Drawing on philosophical conceptions of scheme as an intelligible order, and grounded in corpus-based analysis of legal discourse, it argues that recurrent linguistic patterns, particularly prefabricated

REN Rui, Ph.D., associate professor, School of Foreign Studies, Northeastern University, Shenyang, China.
ZHAI Yuehan, Master's student, School of Foreign Studies, Northeastern University, Shenyang, China.

chunks, such as "I put it to you that," are not incidental, but constitutive of that order. They reveal how arguments are built, how authority is exercised, and how meaning is negotiated.

To note, then, is to see. And to see structure within speech is to move interpretation beyond transcription, toward understanding. In this shift lies not only methodological refinement, but a deeper fidelity to justice itself, where words are no longer merely heard, but restored to their full weight, their intention, and their truth.

This study addresses three research questions:

1. How do courtroom schemata manifest across institutional settings?

2. How can recurrent 3-gram chunks be functionally classified to reveal underlying schematical patterns?

3. How can these findings inform the design of a note-taking scheme that captures schematical structure rather than lexical surface?

Literature Review

Chunk and Formulaic Language

The concept of chunk or prefabricated multi-word unit, has been extensively studied in corpus linguistics and psycholinguistics. Various terms, such as lexical bundles, formulaic sequences, and prefabricated chunks, have been used to describe recurrent word combinations that are stored and retrieved holistically. Wray (2002) defined a chunk as "A sequence, continuous, or discontinuous, of words or other meaning elements, which is, or appears to be, prefabricated: That is, stored and retrieved whole from memory at the time of use." A substantial body of research has demonstrated that such units play a crucial role in language processing by reducing cognitive load, facilitating fluency, and enabling rapid comprehension. Jiang and Nekrasova (2007) found that formulaic sequences are processed more quickly and accurately than non-formulaic controls, confirming their holistic storage.

In interpreting studies, chunk-based approaches have similarly emphasized the processing advantages of formulaic language. Interpreters are understood to rely on chunks to manage time pressure and cognitive constraints, treating them as efficient units of comprehension and production. Li and Wang (2012) demonstrated that chunks in interpreting produce three alleviating effects: predictive (anticipating structure), memory (holistic storage), and production (fluent output).

However, existing research largely conceptualizes chunks as processing units, focusing on their role in memory and fluency. Much less attention has been paid to their potential function as discourse-structuring units. In other words, while chunks are recognized for their cognitive efficiency, their role in encoding illocutionary force, interactional dynamics, and institutional meaning remains underexplored.

This limitation is particularly significant in courtroom contexts, where recurrent expressions are often closely tied to specific communicative functions, such as accusation, challenge, or procedural control. The absence of a structural perspective on chunks results in a gap between linguistic analysis and discourse interpretation.

Courtroom Discourse and Interpreting

Every utterance comprises three simultaneous acts: the locutionary act (the utterance itself), the illocutionary act (the communicative intent behind the utterance), and the perlocutionary act (the effect on the listener). The interpreter's goal, Hale (2004) argued, must be "to achieve an equivalence of the illocutionary act, including its point and force, in the target language" (p. 7).

In the courtroom, it is important to understand that the illocutionary point behind cross-examiners' questions, for example, is often to accuse, to confuse, or to trick, and very rarely to ask for information. Lawyers main purpose is to elicit information that can help create a convincing case in examination-in-chief and that can discredit the other side's case in cross-examination.

A seminal contribution in this area is Sandra Hale's *The Discourse of Court Interpreting*, which demonstrates that courtroom interaction is not a neutral exchange of information but a highly structured communicative process shaped by illocutionary force, power asymmetries, and strategic intent. In particular, Hale (2004) shows that legal questioning, especially in cross-examination, often functions as accusation, coercion, or control rather than genuine inquiry. "Accurate interpreting cannot be performed using the bottom up approach," she warns, "That is, interpreting word for word and hoping that at the end the same meaning will be achieved at the top level, as that will rarely be the case" (Hale, 2004, p. 6). This insight directly informs the present study's central claim: The interpreter's notes should capture not the words but the discourse-level scheme, the underlying structure of illocutionary force, power relations, and strategic intent that organizes the words. A bottom-up note-taking strategy, focused on recording words, will inevitably fail to preserve this structure. A top-down strategy, focused on externalizing the scheme, can succeed.

In particular, there is a lack of attention to the recurrent linguistic patterns through which these discourse functions are realized. As a result, the relationship between micro-level linguistic forms and macro-level discourse structures remains insufficiently theorized.

Methodology

Corpus Design

The Nuremberg corpus (Nuremberg Trial, Case 7 transcripts, 1946) analyzed in this study draws on the official trial transcripts preserved in the Harvard Law School Library Nuremberg Trails Project. The trial produced "210 trial days" and is referred to as "the trial of six million words" (Guise, 2020). The complexity of the language service was immense, requiring a support staff of over 1,300 persons, including interpreters, translators, stenographers, and proofreaders. This institutional infrastructure makes the Nuremberg records uniquely valuable for corpus analysis, offering a large-scale, professionally transcribed data set of adversarial courtroom discourse.

Following a corpus-based methodology, 3-gram lexical bundles were extracted from the corpus (total 190,964 words) using AntConc. Frequency thresholds were set to identify recurrent patterns: All bundles with frequency ≥ 19 in NMT were retained for analysis.

Following Hale's (2004) discourse-analytic framework and the tripartite structure of scheme (logic, power, and content), extracted chunks were classified into three functional annotation categories: (a) ilocutionary force; (b) interactional function; and (c) power dynamics (see Table 1).

Table 1

Three Functional Categories

Category	**Function**	**Example**
Logic (Rational)	Argumentation, framing	the question is whether
Power (Interactional)	Control, challenge	did you ever
Content (Propositional)	Facts, references	at that time

Findings

By examining, we can observe how the same institutional logic (the trial) generates different schemata depending on procedural context.

The Nuremberg corpus reveals a high density of interactional chunks:

did you ever (freq. 174); put (it) to you (freq. 45); is that right (freq. 39)

The Nuremberg setting exemplifies pure adversarial schema. Prosecutors and defense counsel engage in systematic attempts to control witness testimony, impose versions of events, and undermine opposing narratives. These bundles function as tools of control and coercion, aligning with Hale's description of cross-examination as a confrontational process. Their high frequency in NMT reflects the adversarial nature of the proceedings: each side is attempting to control the narrative and discredit the opposing version.

Notably, the presence of "put (it) to you" (freq. 45) indicates the existence of an accusatory discourse pattern structurally equivalent to the canonical "I put it to you" construction. Even in truncated form, the chunk retains its illocutionary force as a challenge or accusation.

Discourse markers, such as "well, now" (freq. 32) are signals of speaker stance and topic management. In cross-examination, these markers often preface challenges or indicate frustration. Their presence or absence affects the perceived tone and coerciveness of the exchange (see Table 2).

Table 2

Functional Distribution of Top 3-Gram Chunks by Corpus

Function	**NMT (Adversarial)**
Logic markers	"In order to" (151), "The fact that" (104), "On the basis of" (36), "First of all" (70)
Power markers	"Did you ever" (174), "Put it to you" (45), "I object to" (21), "Is that right" (39), "Well, now" (32), "As I have already said" (37)
Content markers	"The execution of" (51), "During the time" (33), "The attitude of" (28)

Corpus Analysis

This section analyzes the recurrent pattern "I put it to you" and its variants in the Nuremberg Trial corpus. This study treats this expression not as a mere lexical bundle but as a schematical operator, a linguistic device that encodes a stable structure of accusation, contradiction, and control.

The analysis is guided by Hale's (2004, p. 40) characterization of "I put it to you that" declaratives:

"This is a legal formula used by counsel in cross-examination to present a version of facts that contradicts what has been proposed by the witness being examined, and to pre-empt what will be presented in his/her case by his/her own witnesses."

In all identified instances, "I put it to you" functions as an accusatory device. Consider the following example from the corpus (see Table 3):

Table 3

"I Put It to You That" Declaratives

Form	**Example**	**Function**
Full declarative	"I put it to you that..."	Imposing alternative narrative
Interrogative variant	"If I put it to you... is that possible?"	Hypothetical challenge
Noun-phrase variant	"I put a question to you"	Marking the act of questioning itself
Past reference	"I put to you this morning"	Contrasting prior testimony

Extract 1

Q: Well, if I put it to you, Herr General, that according to my documents it was on the 5th of November, is that possible?

The hypothetical variant is particularly revealing. In the following exchange, the prosecutor uses "if I put it to you" to introduce a proposition while maintaining a facade of uncertainty. The "if" construction does not weaken the accusation; it intensifies it by implying that the witness's version is so unreliable that even a hypothetical alternative is plausible.

The following example from the corpus provides a complete illustration of how "I put it to you" functions within the three-phase structure of cross-examination:

Extract 2

Q: Well, witness, I am now putting to you that we have examined a witness here who belonged to the organization of General Cervas, and this witness was at all times in the immediate neighborhood of General Cervas and his troops, and he told us the following about the uniforms worn by the troops of General Cervas: Only a few officers were supposed to have worn uniforms.

This exchange reveals the schematical power of "I put it to you" in several dimensions.

Firstly, the discourse positioning. The defense counsel's utterance occurs after an extended sequence of questioning about the witness's activities, uniform, and sources of information. Prior to this moment, the witness had repeatedly deflected questions. The "I am now putting to you" marks the culmination of this sequence that the moment when the cross-examiner stops seeking information and begins imposing a contradictory version.

Secondly, the illocutionary force. The counsel does not ask the witness whether he knows about the Cervas organization; he asserts that the organization existed, that a witness testified about it, and that this testimony contradicts the current witness's account. The formula "I am now putting to you that" frames this assertion as something the witness must confront. Hale (2004, p. 40) emphasized that "by using this phrase, the implication is that the witness is not telling the truth."

From Scheme to Note-Taking

Following the tripartite framework introduced, the note-taking system operates at three levels (see Table 4):

Table 4

Note-Taking System Operates at Three Levels

Level	**Courtroom manifestation**	**Note symbol**
Logic	Argument structure, inference, and qualification	→, ∵, ∴, ≠, ?
Power	Accusation, challenge, control, and deference	ACC, CH, [INT], DEF
Content	Facts, names, numbers, and specific claims	words, , NAME, DATE

The interpreter's task is to integrate these three levels into a coherent notation that captures the schematical structure of the utterance. For the accusatory question schema identified, the proposed notation is:

[ACC] → [P] ? [C]

Where:

[ACC] marks the accusatory frame (challenge onset)

→ marks the logical move (imposition of alternative)

[P] represents the proposition being imposed

[C] represents the confirmation demand (optional)

Example :

Accusatory Question with Imposed Narrative

Q: "I put it to you that you were fully aware of the consequences."

Notation: ACC → witness aware ≠ claimed ignorance

The power of the schematical approach is that it enables the interpreter to integrate all three dimensions in a single notation.

Cognitive Load Analysis

The importance of preserving emotional and stylistic features in court interpreting is underscored by Hale's (2004, p. 89) discussion of witness credibility. Hale notes that "form may at times be highly significant, even to the point where a change in form can alter or reverse the impact of a message."

When witnesses deliver testimony, the manner of delivery, such as their emotional tone, their hesitations, their confidence, affects how jurors evaluate their credibility. An interpreter who flattens these features, rendering all utterances with the same neutral tone, may inadvertently alter the jury's perception of the witness. This is why the present study's note-taking scheme should also include symbols for emotional intensity (!) and for register shifts (( )). These symbols remind the interpreter that preserving the illocutionary force of an utterance requires preserving not only its propositional content but also its affective coloring.

The cognitive reality of chunks as holistic units is also vividly illustrated by the experience of Nuremberg interpreters. Facing the German language's syntactic structure where the verb appears at the end of subordinate clauses, interpreters developed a technique of "forming short segments using parts of the sentence which precede the verb" (Ramler, 2006, p. 12). This allowed them to process German discourse not word-by-word but in chunked units, anticipating meaning before the verb arrived. As one interpreter observed, the key was "language agility," the ability to find instantaneously the second or third choice of a word in the target language if the best word did not come to mind, so that the pace and flow of interpretation could be maintained.

In this sense, the Nuremberg interpreters were the first to demonstrate that effective court interpreting depends on the ability to grasp and externalize schemata. They built through collective practice, a system of glossaries, teamwork, and cognitive discipline that allowed them to navigate the "confusion of tongues" and bring the words of the trial to listeners in four languages. As Justice Jackson acknowledged, "The success and smooth working of this trial is due in no small measure to the system of interpretation and the high quality of the interpreters who have been assembled to operate it" (Jackson, as cited in AIIC, 2025, p. 1). The schema note-taking framework proposed in this study is offered in their spirit: as a tool for making that act of discernment visible, teachable, and reproducible across generations of court interpreters.

Interpreting Justice

The adversarial system comprises two opposing parties, where each fight for their own case, presenting a version of the facts that will be challenged by the other party. The presentation of each story is for the consideration of the jury or the bench, who sit back, listen and form judgement. They are the recipients of the information who must either be persuaded into, or dissuaded from, believing a specific story. Thus, truth or reality becomes the version which is accepted by the jury.

There are those who believe that the role of the interpreter is to help disadvantaged non-English speakers to succeed in their case or to ensure clear understanding. This arises out of a sense of social justice. But, by changing

the questions in any way to improve their clarity, the interpreter would be interfering with the lawyer's tactics. This lead us thinking about interpreting justice.

The Nuremberg interpreters' experience vividly illustrates this complexity. Should the interpreter soften language to preserve courtroom decorum? Or should the interpreter render it literally to preserve the witness's intended effect? The answer is not given by a simple rule; it requires judgment. This chapter argues that the concept of justice understood in the Platonic sense as the proper ordering of the parts of the soul provides a framework for understanding this judgment.

A just interpretation, like a just soul, is one in which each part performs its proper function and reason governs the whole. The notes are the visible inscription of this justice where interpreter's sketch of the order must be preserved.

Conclusion

This study shows that chunks are not merely linguistic units, but the visible traces of deeper schemata, and that effective note-taking depends on the interpreter's ability to recognize and externalize these schemata rather than record surface language.

Current, AI-systems lack schematical cognition. They can recognize that "Did you ever" is a frequent 3-gram, but they cannot grasp that it functions as part of an accusatory schema. The schematical notation proposed here offers a potential solution: It can serve as a shared symbolic language for human-machine collaboration. The AI performs lexical recognition and preliminary schematical tagging; the human interpreter monitors and corrects schematical errors.

The interpreter who grasps this insight has taken the first step toward true noetic cognition: the ability to see, through the contingent flow of courtroom talk, the enduring shape of justice itself.

In the end, what this study has sought to uncover is not merely a better way to take notes, but a deeper way to see. Beneath the rapid exchanges of the courtroom, questions, denials, and interruptions, there lies an invisible architecture, a rational order that governs conflict, persuasion, and truth. To interpret is not simply to follow words as they unfold, but to grasp this underlying scheme and render it intelligible across languages and minds. The interpreter stands at a fragile threshold: between power and vulnerability, between logic and emotion, between what is said and what is meant. If justice in the courtroom depends on the faithful unfolding of discourse, then the interpreter's task is inseparable from justice itself, not as a passive conduit, but as an active role of structure, a guardian of balance.

A note, then, is never just a mark on paper. It is the trace of understanding, the visible imprint of an invisible order. When it captures only words, it fades with memory; when it captures structure, it endures as meaning. To learn to note is, ultimately, to learn to see the world not as fragments, but as form. And perhaps that is the quiet ambition of this work: to move interpretation beyond transcription, toward cognition; beyond accuracy, toward insight; and beyond language, toward the deeper harmony that, in its most elusive sense, we continue to call justice.

References

Chen, S. (2016). Note-taking in consecutive interpreting: A review with special focus on Chinese-English literature. *The Journal of Specialised Translation, 26*, 151-171.

Guise, K. (2020). *Translating and interpreting the nuremberg trials*. Retrieved from https://www.nationalww2museum.org/war/articles/translating-and-interpreting-nuremberg-trials

Gaiba, F. (1998). *The origins of simultaneous interpretation: The nuremberg trial*. University of Ottawa Press.

Hale, S., Julie, L., Natalie, M., & Jane, G. D. (2023). Note-taking in court interpreting: Interpreter perceptions and practices in a simulated trial. *Translation & Interpreting, 15*(1).

Hale, S. (2004). *The discourse of court interpreting*. Amsterdam: John Benjamins. DOI: 10.1075/btl.52

Heller, K. J. (2011, June 16). *The nuremberg military tribunals and the origins of international criminal law*. Leiden University Repository.

Huang, D. F., Li, F., & Guo, H. (2023). Corrigendum: Chunking in simultaneous interpreting: The impact of task complexity and translation directionality on lexical bundles. *Frontiers in Psychology, 14*, 1330110-1330110. https://doi.org/10.3389/FPSYG.2023.1330110

Li, Y. (2016). A corpus-based interpreting study on the pragmatic functions of prefabricated chunks. *Modern Foreign Languages, 39*(2), 246-256 & 293.

Li, Y., & Wang, N. (2012). A study on the alleviating effects of prefabricated chunks on simultaneous interpreting. *Foreign Language World*, 1, 61-67. https://doi.org/10.26971/j.cnki.flw.1004-5112.2012.01.008

Li, Y., & Zhang, H. (2020). On the augmenting explication norms of chunks in Chinese-English interpreting in political settings. *Chinese Translators Journal, 41*(4), 162-171.

Nuremberg. (1947-1948). United States Military Tribunal. Case No. 47: The Hostages Trial (Trial of Wilhelm List and Others).

Ran, Y. (2026). Advancing linguistic justice in courtroom interpreting: A digital humanities approach to interpreter-mediated communication. *Language and Communication, 107*, 108-126. https://doi.org/10.1016/J.LANGCOM.2026.01.009

Ramler, S. (2007). The origin and challenges of simultaneous interpretation: The nuremberg trial experience. *Interpretation Studies,* 7, 7-18.

Sands, P. (2016). Nuremberg trials interpreter siegfried ramler: The things we saw were shocking. *The Guardian*.

Sfekas, S. J. (2017). A court pure and unsullied: Justice in the justice trial at nuremberg. *University of Baltimore Law Review, 46*(3), Article 4.

Wang, C. W., Wang, Y., Zhou, M., & Xun, E. D. (2025). Reframing Chinese verb patterns through a chunk-based approach: A case study of legal judgments. *Lingua, 326*, 104024. https://doi.org/10.1016/J.LINGUA.2025.104024

Wray, A. (2002). *Formulaic language and the lexicon*. Cambridge University Press.

Zhang, W. W., & Orlando, M. (2026). Interpreters' note layout and coherence building in consecutive interpreting: A rhetorical structure theory approach. *Acta Psychologica, 262*, 106192. https://doi.org/10.1016/J.ACTPSY.2025.106192

Zhang, L., & Hu, Z. (2025). A symbolic cognitive analysis of translation notes and the translation process: A case study of interpreting notes symbols. *Journal of Changshu Institute of Technology, 39*(4), 91-99. https://doi.org/10.16101/j.cnki.cn32-1749/z.2025.04.012