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## Предисловие

Данное пособие представляет собой практический материал на английском языке для изучения и применения в монологической и диалогической речи терминов, объединенных темой «Юриспруденция».

Пособие предназначено для студентов средних специальных учебных заведений, изучающих английский язык.

Целью пособия является обучение студентов активному владению английским языком в сфере профессиональной деятельности юриста, а также формирование способности к межкультурной коммуникации.

Учебно-практическое пособие состоит из пяти разделов. Раздел 1 содержит 11 текстов профессиональной направленности и задания к этим текстам; раздел 2 включает в себя тексты по специальности для самостоятельной работы (внеаудиторное чтение) с целью овладения навыком письменного перевода; раздел 3 содержит тексты для чтения; раздел 4 — краткий справочник по грамматике; раздел 5 представлен тестами для самоконтроля.

Задания направлены на овладение, развитие и совершенствование профессиональных умений и навыков студентов в процессе их работы под руководством преподавателя и самостоятельной работы.

# Part 1. Тексты профессиональной направленности

## Text 1. Why do we need law?

### 1. Vocabulary.

- to control or alter our behavior — управлять и вносить изменения в наше поведение
- to safeguard our personal property and our lives — охранять нашу личную собственность и наши жизни
- to ensure a safe and peaceful society — обеспечивать безопасное и мирное существование
- to punish people without trial — наказывать людей без суда и следствия
- to respect individual rights — уважать права человека
- to give effect to social policies — оказывать влияние на социальную политику
- to protect equality — защищать равенство

### 2. Read and translate the text.

Almost everything we do is governed by some set of rules. There are rules for games, for social clubs, for sports and for adults in the workplace. There are also rules imposed by morality and custom that play an important role in telling us what we should and should not do. However, some rules — those made by the state or the courts — are called “laws”.

Laws resemble morality because they are designed to control or alter our behaviour. But unlike rules of morality, laws are enforced by the courts; if you break a law — whether you like that law or not — you may be forced to pay a fine, pay damages, or go to prison.

Why are some rules so special that they are made into laws? Why do we need rules that everyone must obey? In short, what is the purpose of law? If we did not live in a structured society with other people, laws would not be necessary. We would simply do as we please, with little regard for others. But ever since individuals began to associate with other people — to live in society — laws have been the glue that has kept society together. For example, the law in our country states that we must drive our cars on the right-hand side of a two way street. If people were allowed to choose at random which side of the street to drive on, driving would be dangerous and chaotic.

Laws regulating our business affairs help to ensure that people keep their promises. Laws against criminal conduct help to safeguard our personal property and our lives. Even in a well-ordered society, people have disagreements and conflicts arise.

The law must provide a way to resolve these disputes peacefully. If two people claim to own the same piece of property, we do not want the matter settled by a duel: we turn to the law and to institutions like the courts to decide who is the real owner and to make sure that the real owner's rights are respected.

We need law, then, to ensure a safe and peaceful society in which individuals' rights are respected. But we expect even more from our law. Some totalitarian governments have cruel and arbitrary laws, enforced by police forces free to arrest

and punish people without trial. Strong-arm tactics may provide a great deal of order, but we reject this form of control. The legal system should respect individual rights while, at the same time, ensuring that society operates in an orderly manner. And society should believe in the Rule of Law, which means that the law applies to every person, including members of the police and other public officials, who must carry out their public duties in accordance with the law.

In our society, laws are not only designed to govern our conduct: they are also intended to give effect to social policies. For example, some laws provide for benefits when workers are injured on the job, for health care, as well as for loans to students who otherwise might not be able to go to university.

Another goal of the law is fairness. This means that the law should recognize and protect certain basic individual rights and freedoms, such as liberty and equality. The law also serves to ensure that strong groups and individuals do not use their powerful positions in society to take unfair advantage of weaker individuals. However, despite the best intentions, laws are sometimes created that people later recognize as being unjust or unfair.

In a democratic society, laws are not carved in stone, but must reflect the changing needs of society. In a democracy, anyone who feels that a particular law is flawed has the right to speak out publicly and to seek to change the law by lawful means.

### 3. Match the words and phrases in column A with the verbs from column B.

A	B
1) the purpose of law	a) уважать права отдельного человека
2) to live in society	b) отражать изменяющиеся потребности общества
3) to choose at random	с) иметь разногласия и конфликты
4) to safeguard our personal property and our lives	d) верить в верховенство закона
5) to have disagreements and conflicts	e) защищать основные права и свободы
6) to resolve disputes peacefully	f) назначение (цель) права
7) to turn to the law	g) иметь право открыто высказать свое мнение
8) to respect individual rights	h) жить в обществе
9) to arrest and punish people without trial	i) выбирать что-либо наугад
10) to believe in the Rule of Law	j) стремиться изменить закон законными средствами
11) in accordance with the law	к) арестовывать и наказывать людей без суда и следствия
12) to protect basic individual rights and freedoms	l) охранять нашу собственность и жизнь
13) to reflect the changing needs of society	m) в соответствии с законом
14) to have the right to speak out publicly	n) обращаться к закону
15) to seek to change the law by lawful means	o) решать споры миром

### 4. Complete the sentences.

- 1) Almost everything we do is governed by ... .
- 2) If we didn't live in a structured society with other people ... .
- 3) Laws against criminal conduct help ... .
- 4) We turn to the law ... .
- 5) Another goal of the law is ... .

**5. Make up at least 10 questions about the text above.**

**6. Match the English sentences in the right column with the corresponding Russian sentences in the left column.**

1) Не каждый может работать для общего блага	1) The law is the rule of conduct established by a government and applicable to people, whether in the form of legislation or custom
2) Юрист — это лицо, чья профессия заключается в том, чтобы подавать судебные иски или консультировать клиентов и действовать от их имени по различным юридическим вопросам	2) Law is any rule or injunction that must be obeyed
3) Право — это нормы поведения, установленные государством и применяемые в обществе в форме закона или обычая	3) Not everybody can work for the good of society
4) Закон — это любая норма или предписание, которым надо следовать	4) A lawyer is a person whose profession is to conduct lawsuit for clients or to advise or act for them in other legal matters
5) Мы следуем определенным нормам поведения, если принадлежим определенным социальным институтам	5) We accept some rules if we belong to particular social institutions
6) Я посоветуюсь с юристом	6) I'll take legal advice
7) Она обратилась в суд	7) She brought a case to court
8) Судья отправляет правосудие	8) What factors influenced your decision?
9) Какие факторы повлияли на Ваше решение?	9) The judge administers justice

## **Text 2. Law and society**

### **1. Read and translate the text.**

When the world was at a very primitive stage of development there were no laws to regulate life of people. If a man chose to kill his wife or if a woman succeeded in killing her husband that was their own business and no one interfered officially. But things never stay the same. The life has changed. We live in a complicated world. Scientific and social developments increase the tempo of our daily living activities, make them more involved. Now we need rules and regulations which govern our every social move and action. We have made laws of community living.

Though laws are based on the reasonable needs at the community we often don't notice them. If our neighbour plays loud music late at night, we probably try to discuss the matter with him rather than consulting the police, the lawyer or the courts. When we buy a TV set, or a train ticket or loan money to somebody a lawyer may tell us it represents a contract with legal obligations. But to most of us it is just a ticket that gets us on a train or a TV set to watch.

Only when a neighbour refuses to behave reasonably or when we are injured in a train accident, the money wasn't repaid, the TV set fails to work and the owner of the shop didn't return money or replace it, we do start thinking about the legal implications of everyday activities.

You may wish to take legal action to recover your loss. You may sue against Bert who didn't pay his debt. Thus you become a plaintiff and Bert is a defendant. At the trial you testified under oath about the loan. Bert, in his turn, claimed that it was

a gift to him, which was not to be returned. The court after listening to the testimony of both sides and considering the law decided that it was a loan and directed that judgment should be entered in favour of you against Bert.

Some transactions in modern society are so complex that few of us would risk making them without first seeking legal advice. For example, buying or selling a house, setting up a business, or deciding whom to give our property to when we die.

On the whole it seems that people all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other. Multinational companies employ lawyers to ensure that their contracts are valid whenever they do business.

## **2. Answer the following questions.**

1) Were there any laws when the world was at a very primitive stage of development?

2) Why do we need rules and regulations nowadays?

3) Do we notice laws? Why?

4) When do we start thinking about the legal implications of our everyday activities?

5) In what case may we sue against Bert?

6) Where do we testify under oath?

7) Did Bert win or lose the case?

8) In what cases do people seek legal advice?

9) Why do companies employ lawyers?

## **3. Decide if the sentences (1–5) below are true or false.**

1) When the world was at a very primitive stage of development there were no laws to regulate life of people.

2) Now we don't need rules and regulations which govern our every social move and action.

3) Though laws are based on the reasonable needs at the community we often don't notice them.

4) Some transactions in modern society are so complex that few many of us would risk making them without first seeking legal advice.

5) People all over the world are becoming more and more accustomed to using legal means to regulate their relations with each other.

**4. Look through the text again and divide it into logical parts. Give the message of each part.**

## **Text 3. Why do we commit crimes?**

**1. Read the text and match the headings with the sections of the text below.**

- Psychological and psychiatric theories.
- Genetic and biological theories.
- Social environment theories.
- Theological and ethical theories.
- Multiple causation theory.
- The theory of choice.

All adults at some time or another commit a crime, sometimes by accident, but why do some people intentionally commit crimes? Here are some theories that try to explain the causes of criminal behavior:

1) No one knows why crime occurs. The oldest theory, based on theology and ethics, is that criminals are perverse persons who deliberately commit crimes or who do so at the instigation of the devil or other evil spirits. Although this idea has been discarded by modern criminologists, it persists among uninformed people.

2) The idea that some people commit crimes because of biological factors has a long tradition. This theory suggests that criminals are born, not made. It was developed in the 19th century by the Italian criminologist Cesare Lombroso, who believed that crimes were committed by persons who are born with certain recognizable hereditary physical traits. Among the things he considered important were skull and ears shapes, colour of the hair and the eyes, etc. Although experts today no longer believe this, they argue that human behaviour can be linked to an individual's genes. Studies of adopted children who show criminal behaviour suggest that their behaviour is more similar to their biological parents' behaviour than their adoptive parents', showing a genetic link.

3) Many prominent criminologists of the 19th century stated that a person's surroundings such as poverty, lack of privacy and poor sanitation influence their behaviour. These conditions engender feelings of deprivation and hopelessness and are conducive to crime as a means of escape. More modern scientists point out that just as children learn good behaviour from their parents, so children can learn bad behaviour from their families and friends. It is a vicious circle, as one expert states: "Problem children tend to grow up into problem adults, and problem adults tend to produce more problem children".

4) Studies of the 20th century investigators indicated that about one-fourth of a typical convict population is psychotic, neurotic, or emotionally unstable and another one-fourth is mentally deficient. These emotional and mental conditions do not automatically make people criminals, but make them more prone to criminality. Recent studies of criminals state that emotional disturbances may lead to criminal behavior.

5) The central idea of this theory is that crime is a career decision, an alternative way of making a living. The theory argues that most criminals are rational people, who know what they want and the different ways of getting it. They are able to balance the risks of committing a crime, such as going to prison, against its benefits, i. e. what they gain if they aren't caught. The conclusion is: if there are more benefits than risks, — do it; but if there are more risks than benefits, — don't do it.

6) Since the mid-20th century experts have inclined to the so-called multiple causation theory. They reason that crime springs from a multiplicity of influences — biological, psychological, cultural, economic and political. The multiple causation explanations seem more credible than the earlier, simpler theories. An understanding of the causes of crime is still elusive, however, because the interrelationship of causes is difficult to determine.

To protect its citizens laws are made to regulate human behaviour and the State provides crime prevention policies, remedies and sanctions if the laws are broken. However, research is continuing into people's motivation for committing crimes, because understanding this may help us apply the correct punishments for crime. With more knowledge, it will be easier to prevent crime and to help criminals to lead a more useful life.



## 2. Match the synonyms.

- |                 |                          |
|-----------------|--------------------------|
| 1) link         | a) intentionally         |
| 2) deliberately | b) to go on              |
| 3) to occur     | c) to cause              |
| 4) prominent    | d) to happen             |
| 5) to lead to   | e) important, noticeable |
| 6) to argue     | f) conduct               |
| 7) to continue  | g) connection            |
| 8) behavior     | h) to state              |

## 3. Match the antonyms.

- |                |                   |
|----------------|-------------------|
| 1) adult       | a) minor          |
| 2) by accident | b) stable         |
| 3) the oldest  | c) wealth         |
| 4) uninformed  | d) irrational     |
| 5) similar to  | e) on purpose     |
| 6) poverty     | f) the latest     |
| 7) unstable    | g) different from |
| 8) rational    | h) literate       |

## 4. Make up at least 10 questions about the text above.

### Text 4. Development of law in Great Britain and the USA

#### 1. Look through the text again and divide it into logical parts. Give the message of each part.

The common law of England, the body of customary law embodied in reports of decided cases, is in fact a Norman creation. It originated in Middle Ages in the decisions of local courts which applied what Sir William Blackstone, one of the prominent English jurists of the 18th century, called "the custom of the realm from the time immemorial".

Before the Norman Conquest (1066) the Anglo-Saxons, especially after accession of Alfred the Great (871), developed a body of rules which resembled those being used by the Teutonic peoples of northern Europe. But the Norman Conquest brought an end to the Saxon laws, except for some local customs. The main role in the development of common law was played by courts. Before the Conquest, there existed two types of courts, or the courts of the smallest settlements. The other kind of courts was the shire court which was more significant. The head of the shire was an earl. The earl's reeve, or the shire reeve (sheriff) managed, the shire court and supervised the lesser courts.

The Conquest brought another kind of local court. Anglo-Saxon England had not been altogether feudal; the Norman system was. Each lord had his court. The privilege of holding court was an important incident of feudal tenure. For one thing, the power to adjudicate was then the principal expression of political authority, not, as now, just one of three. For another, it was an important source of income. The Anglo-Saxons had no royal courts. In the last half of the 12th century the king of England and Normandy Henry II introduced litigation in the royal courts as a substitute for private wars. Thus, he made it clear to Englishmen that most of the law, the important law, would issue from a single source, from a government strong enough

and bright enough to render it large in their lives. It would operate throughout the land. The common law took hold. With it the jury system.

Another English adaptation of medieval Western legal ideas and procedures was the development by the Chancellor of special rules and procedures called 'equity'. It is clear that single legal rules cannot be formed to deal with all possible cases. The mechanical application of rules can sometimes result in injustice. In the fourteenth and fifteenth centuries the king's courts became rigid and narrow in their interpretation of their own functions and their own rules. The Chancellor, who next to the King was the most important official in the country, then set up a special office to hear grievances which the King's regular courts could not or would not handle adequately. Gradually, the Chancellor's jurisdiction developed into the Court of Chancery, whose function was to administer equity.

Besides common law and equity, statutory law also developed in England. The term statute is usually applied to written law, to the acts of a legislative or law-making body, whether Congress or Parliament, or other assembly of representatives charged with the enactment of general rules of conduct, which are binding upon the inhabitants of the state. There was written law in England before Parliament came into existence, as the collections of laws going under the names of the kings of pre-Norman or Anglo-Saxon period indicate.

In the 13th century statutes of Edward I, who has been called the English Justinian, greatly amended the unwritten common law: they limited the jurisdiction of local courts, liberalized appeals to high circuit courts, improved the law of administration of assets on death, etc. The Tudors made use of proclamations by the king to invoke emergency measures, to establish detailed regulations, especially in economic matters, etc.

The English settlers on the Atlantic Seaboard of North America brought with them the English legal tradition. But the English law of that time was ill-adapted to the conditions of the New World. Innovations made by the American judges and legislators are great. That is why the lawyers say that Great Britain and the USA are "the two countries separated by common law". Common law was formally adopted in all the original States of the Union. Louisiana, where the "Code Napoleon" prevailed at the time of its admission to statehood, is an exception.

In the first 75 years of the history of the USA American judges, jurists, and legislators were able to develop out of the received English law a body of legal institutions and doctrines which reflected the social life of the new American polity — an American law. The greatest difference is found in the sphere of public law. Great Britain has no written constitution and no judicial review, whereas every court in the USA has the power to pass judgement on the conformity of legislation and other official actions to constitutional norms. Many areas of US law have been "constitutionalized".

There are a lot of other specific features in the American legal system, which were established due to the great economic, political, and social changes that took place during the history of the country's development.

## **2. Answer the following questions.**

- 1) What is the common law of England?
- 2) When did common law appear?
- 3) Who is considered to be one of the prominent English jurists?

- 4) What legal system was used in England before the Norman Conquest?
- 5) What kinds of courts existed before the Conquest?
- 6) How did court structure change after the Conquest?
- 7) Who started issuing law in the last half of the 12th century?
- 8) Why did equity appear?
- 9) What court administered equity in the 15th century?
- 10) What law was used in England besides common law and equity?
- 11) What is statutory law?
- 12) When did written law appear in England?
- 13) What is the greatest difference between British and American common law?

### 3. Translate the words in brackets.

1) Even as the common law actions enlarged in scope, large (области) of legal right remained beyond their reach.

2) Many of the basic (правовых идей) of American law were freed from medieval survivals.

3) The king's court in the 11th century did not (отправлял правосудие) generally throughout the country.

4) (Местные суды), feudal or communal, did not use a jury.

5) Until the late 19th century, English (общее право) continued to be developed primarily by (судьями) rather than (законодателями).

6) The term "statute" is commonly (применяется) to the acts of a (законодательного органа).

### 4. Give the English for following.

Общее право; право справедливости; статутное право; обычное право; местные суды; королевские суды; местные обычаи; завоевание; источник дохода; справедливость; несправедливость; писаное право; законодательный орган; законодатель; институты права; публичное право; соответствие законодательства конституционным нормам; правовая система.

### 5. Make up your own plan to the text and retell it according to your plan.

## Text 5. The legal profession in Great Britain

### 1. Vocabulary.

- legal profession — юридическая профессия
- barrister — адвокат, выступающий в суде
- solicitor — поверенный
- do the court work — выполнять работу в суде
- do the office work — выполнять работу в конторе
- represent a client at a full hearing — представлять клиента на полном слушании
- acquiring knowledge of the theory and practice of the law — приобретение знаний по теории и практике
- onerous — обременительный
- officers of the court — судебный исполнитель
- have duties to the court — иметь обязательства перед судом
- override — превышать

- witness box — место для дачи свидетельских показаний
- confesses a guilt — признать вину
- offence — правонарушение
- give evidence — давать свидетельские показания
- innocent — невиновный
- draft — составлять проект
- pleadings — состязательные бумаги, которыми обмениваются стороны

на предварительной стадии судебного процесса

- court proceedings — рассмотрение дела в суде
- trust deeds — акт учреждения доверительной собственности
- litigation — судебная тяжба
- quality as a solicitor — получить квалификацию поверенного
- trainee — практикант
- legal education — юридическое образование
- obtain a paid position — получить оплачиваемую должность
- would-be barrister — стремящийся стать адвокатом
- obtain a seat in chambers — получить место в конторе
- sick-pay insurance — оплата по болезни

## 2. Read and translate the text.

The legal profession in Great Britain The legal profession in England is divided into two main groups, barristers and solicitors. A popular definition of the distinction between solicitors and barristers is that barristers do the court work and solicitors do the office work. In practice, the major volume of court work is done by solicitors and barristers do much "office" work. At present no solicitor, however experienced, may represent a client at a full hearing in any of the higher courts. On the other hand, a barrister, however inexperienced, may represent clients in the House of Lords.

Being a solicitor does not simply involve acquiring knowledge of the theory and practice of the law. It also requires high standards of conduct and an onerous obligation to the courts. The full title of a solicitor is "Solicitor of the Supreme Court". All solicitors are automatically officers of the court. They have duties to the court which sometimes override the duties to their clients. For instance, solicitors must not knowingly allow their client to tell lies in the witness box. If a client confesses their guilt to a solicitor, the solicitor would be committing an offence if he or she then called the client to give evidence that they were innocent.

Many barristers, especially junior barristers, spend much of their time on paperwork, giving opinions, drafting pleadings and other documents related to court proceedings, but also drafting contracts, trust deeds and other formal legal documents which are not immediately connected with litigation.

A person seeking to qualify as a solicitor can become a trainee solicitor after three years of university legal education and extra year doing the legal practice course. As a trainee solicitor it is possible to obtain a paid position even before qualifying. The young would-be barrister has much less chance of earning anything before he qualifies, must then obtain a seat in chambers from which he can try to build up a practice, knowing that, times will probably be hard for a few years. He has to meet his own expenses, cover his own holidays and buy his own (very expensive) sick-pay insurance. In return he gets the satisfaction of wearing a wig, and of being self-employed. Doubtless also, being a barrister still sounds a much more glamorous occupation than being a solicitor.

### **3. Answer the following questions.**

- 1) What are the main types of legal profession in Great Britain?
- 2) What is a popular definition of the distinction between solicitors and barristers?
- 3) What duties to the client and to the court do solicitors have?
- 4) Barristers represent clients in the House of Lord, aren't they?
- 5) What is the full title of a solicitor?
- 6) All solicitors are automatically officers of the court, aren't they?
- 7) What kind of paper work do barristers do?
- 8) Can a trainee solicitor obtain a seat in chambers?
- 9) What young would-be barrister has?
- 10) What the legal profession is more glamorous?

### **4. Translate the following words and word combinations from English into Russian.**

Legal documents, litigation, to represent a client, for instance, solicitor, officers of the court, drafting pleadings and other documents related to court proceedings, trust deeds, litigation, doubtless, barrister, occupation, acquire knowledge, officers of the court.

### **5. Find the English equivalents to the following words and phrases.**

Юридическая профессия; адвокат, выступающий в суде; поверенный; выполнять работу в суде; выполнять работу в конторе; представлять клиента на полном слушании; обременительный; судебный исполнитель; правонарушение; рассмотрение дела в суде; практикант; юридическое образование; получить оплачиваемую должность.

## **Text 6. Compensation culture and lawyers in the USA**

### **1. Read and translate the text.**

Issues of crime and justice have always held Americans' attention. For Americans it is normal to bring their claims for justice to the courts. In America it is common to sue for compensation so we can say that Americans have a strong "compensation culture". There are few countries where people treat the law as part of their everyday life.

Americans' claims for justice are based on the provisions of the United States Constitution. Most of the rights and freedoms that Americans enjoy are guaranteed in the first ten amendments or "Bill of Rights" of the Constitution. Among the guarantees are the freedom of religion, freedom of the press, and freedom to assemble in public. Citizens have the right to be judged in a speedy and public trial. If someone feels that these or other rights have been violated, he or she may bring the case to court. Local, state and federal courts handle about 12 million cases a year. Today, the number of lawyers in the United States exceeds 675,000. This translates to one lawyer for every 364 people. Twenty-five years ago, there was one lawyer for every 700 people. The rate at which the legal profession is growing will probably continue to outpace the rate of population growth.

Why is a career in law so popular? The first reason is big salaries and fees. Lawyers' salaries are still substantially greater than those of many other professionals.

Some firms offer additional bonuses for clerkship experience in the federal courts and state supreme courts. The glamour of legal practice strengthens the attraction of its financial rewards.

There are other reasons for the popularity of the legal profession and the great demand for legal services. Materialism and individualism in American culture encourage dispute. Federalism gives separate legal systems for each state plus the national government. Advertising can now create demand for legal services, too. Finally, the principles of separation of powers and of checks and balances make governing difficult and sometimes impossible. When political institutions act, they often are forced to compromise, deferring critical issues to the courts. Pluralist democracy operates when groups can press their interests on, and even challenge the government through lawsuits in courts for all manner of disputes and interests.

The President of the United States appoints federal judges to office with the approval of the US Senate. This appointment includes Supreme Court justices, court of appeals judges and district judges.

The Justice Department assesses candidates' professional abilities, and the Senate Judiciary Committee initiates an independent investigation of the nominees. All nominees must be qualified attorneys. The Justice Department is responsible for faithful execution of the laws under the president's authority. The main administrators of federal law enforcement are the ninety-four US attorneys, appointed by the president with the advice and consent of the Senate. Unlike federal judges, these appointees serve at the pleasure of the president and are expected to relinquish their positions when the reins of government change hands.

There is a US attorney in each federal judicial district. Their staffs of assistant attorneys vary in size with the amount of litigation in the district.

US attorneys have considerable discretion, which makes them powerful political figures in any community. Their decision to prosecute or not affects the wealth, freedom, rights, and reputation of individuals and organizations in the district. US attorneys are political appointees whose position commands media attention and can serve political goals.

## **2. Answer the questions.**

- 1) What shows that Americans have a strong "compensation culture"?
- 2) What do American citizens usually do when they feel that their rights have been violated?
- 3) Why is the profession of a lawyer so popular in the US?
- 4) What is an attorney in the US? How is he appointed?
- 5) When does an attorney resign?

## **3. Match words with their synonyms.**

- |                |                 |
|----------------|-----------------|
| 1) to violate  | a) to break     |
| 2) to handle   | b) publicity    |
| 3) to outpace  | c) fast         |
| 4) to assemble | d) to deal with |
| 5) salaries    | e) to influence |
| 6) to affect   | f) to overtake  |
| 7) goal        | g) to gather    |
| 8) speedy      | h) purpose      |
| 9) advertising | i) wages        |

#### **4. Decide if the sentences (1–5) below are true or false.**

- 1) There are many countries where people treat the law as part of their everyday life.
- 2) Most of the rights and freedoms that Americans enjoy are guaranteed in the first ten amendments or “Bill of Rights” of the Constitution.
- 3) Career in law is unpopular.
- 4) The Justice Department assesses candidates' professional abilities, and the Senate Judiciary Committee initiates an independent investigation of the nominees.
- 5) US attorneys are civil appointees whose position commands media attention and can serve political goals.

#### **5. Make up your own plan to the text and retell it according to your plan.**

### **Text 7. Contract law**

#### **1. Compose 5 questions you expect the text to provide answers to.**

Contract law deals with promises which create legal rights. In most legal systems, a contract is formed when one party makes an offer that is accepted by the other party. Some legal systems require more, for example that the parties give each other, or promise to give each other, something of value. In common law systems, this promise is known as consideration. In those systems, a one-sided promise to do something (e. g. a promise to make a gift) does not lead to the formation of an enforceable contract, as it lacks consideration.

When the contract is negotiated, the offer and acceptance must match each other in order for the contract to be binding. These means that one party must accept exactly what the other party has offered. If the offer and acceptance do not match each other, then the law says that the second party has made a counter-offer (that is, a new offer to the first party which then may be accepted or rejected).

For there to be a valid contract, the parties must agree on the essential terms. These include the price and the subject matter of the contract.

Contracts may be made in writing or by spoken words. If the parties make a contract by spoken words, it is called an oral contract. In some jurisdictions, certain special types of contracts must be in writing or they are not valid (e. g. the sale of land).

Contracts give both parties rights and obligations. Rights are something positive which the party wants to get from a contract (e. g. the right to payment of money). Obligations are something which a party has to do or give up to get those rights (e. g. the obligation to do work).

When a party does not do what it is required to do under a contract, this party is said to have breached the contract. The other party may file a lawsuit against the breaching party for breach of contract. The non-breaching party (sometimes called the injured party) may try to get a court to award damages for the breach. Damages refers to money which the court orders the breaching party to pay to the non-breaching party in compensation. Other remedies include specific performance, where a court orders the breaching party to perform the contract (that is, to do what it promised to do).

A party may want to transfer its rights under a contract to another party. This is called assignment. When a party assigns (“gives”) its rights under the contract to another party, the assigning party is called the assignor and the party who gets the rights is called assignee.

## 2. Scan the text and answer your own questions from ex. 1.

## 3. Give the English equivalents to the Russian ones.

Законные права; требовать; правовая система; рассмотрение; контракт, обеспеченный правовой санкцией; обсудить условия контракта; контракт, обязательный для обеих сторон; встречное предложение; контракт, имеющий юридическую силу; существенные условия; обязательства; сторона, нарушившая условия договора; суд; линия поведения; уступка; правоприобретатель; лицо, передающее право или имущество.

## 4. Look through the text again and give the summary of it using the following phrases.

- The text is devoted to...
- The text is about...
- It puts forward the idea of...
- The main idea of the text is...
- It touches upon the problem of...

## 5. Decide if the sentences are true or false.

1) In most legal systems, a contract is formed when one party makes an offer that is accepted by the other party.

2) Promise to give each other, something of value is known as consideration.

3) For there to be a valid contract, the parties must disagree on the essential terms.

4) Contracts may only be made in writing.

5) When a party does not do what it is required to do under a contract, this party is said to have breached the contract.

6) A party can't transfer its rights under a contract to another party.

## Text 8. Remedies for breach of contract

### 1. Compose 5 questions you expect the text to provide answers to.

Many states utilize a mix of statutory and common law to provide remedies for breach of contract. Depending on the contract and circumstances of the breach, you may have several basic choices of remedies. There are two general categories of relief for breach of contract: damages and performance. Damages involve seeking monetary compensation for a breach of contract. Performance involves forcing the other side to do what they originally promised in the contract agreement. An attorney that specializes in contract law can help you decide which direction is best for your breach of contract dispute.

Monetary Damages for Breach of Contract. Before you file a breach of contract lawsuit, you should know which type of remedy you are seeking. Many people simply want monetary compensation for the grief caused by the other party's breach of contract. Types of damages for breach of contract include:

- Compensatory Damages — money to reimburse you for costs to compensate for your loss;

- Consequential and Incidental Damages — money for losses caused by the breach that were foreseeable (foreseeable damages are when each side reasonably knew that — at the time of the contract — there would be potential losses if there was a breach);



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