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This book is an English language teaching and studying resource. It is not intended to be used as a source of legal information or advice.

Please note that The Companies Act, 2006 significantly changed the law and the documentation relating to companies. However, working legal professionals need to be familiar with the language of the old documentation as well as the new. For this reason, this book contains examples of both.

PREFACE
We know that as a legal professional today, you need up-to-date and accurate legal English in order to meet the challenges of work. This is because:

• you have to deal with English-speaking clients and lawyers more than any previous generation of lawyers
• you are often expected to interpret or amend long commercial contracts drafted in English
• you receive letters and emails written in English on a daily basis

Legal English is a different language from general English. Just as lawyers in your own country write in a different language from other people, so do English-speaking lawyers. Sentences are often structured differently in legal English. The words lawyers use are often centuries old and no longer commonly used in general English. New prepositions need to be learned. When you read a commercial contract or read a letter there is new, technical vocabulary to understand on every page.

The Lawyer’s English Language Coursebook was written for legal professionals such as you, with your needs at the heart of the book, and it gives you the material you need to study in an efficient and effective way. It is based upon our many years’ experience of teaching and working with lawyers, law students and legal translators from around the world. We are convinced that this book is the best study material available to you if you want to be professional and accurate in all you do in English at work.

This coursebook is intended to be a complete course of preparation for the TOLES Foundation and Higher exams in legal English. We recommend that anyone planning to take the TOLES Advanced exam should use this book too, as the material in it is fundamental to any lawyers’ English language skills. Even if you do not intend to take a legal English exam, you can use this book as a complete course of self-study for legal English and it is recommended to anyone who needs to use legal English at work.

Each of the ten units is divided into section A (Foundation) and section B (Higher). We recommend that everyone should complete section A of each unit, to be sure from the start that you are familiar with the legal vocabulary it contains and are accurate in what you are doing. When you are confident that you know the material contained in section A of each unit, you can proceed to build on your skills by completing the more complex exercises in section B. Each unit also contains some practice exercises for the TOLES exams.

You will see that the book contains boxes, clearly marked with a symbol . These boxes or ‘banks’ of information contain language that you will need to memorise. Please do not be tempted to ignore these boxes. We assure you that if you memorise this information you will see a spectacular improvement in your legal English. We believe that no particular book or computer programme can ever be a substitute for old-fashioned hard work.

We hope that you enjoy using this book and we are confident that it will add quality and accuracy to your legal English skills.

Catherine Mason
Cambridge 2011
THE LEGAL PROFESSION

WORKING IN LAW

Exercise 1
Look at this list of legal occupations. All of these people work in law. We call all of the people who work in these jobs ‘the legal profession’. Match the jobs with one of the descriptions.

<table>
<thead>
<tr>
<th>Solicitor</th>
<th>Attorney</th>
<th>Barrister</th>
<th>Lawyer</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td></td>
<td></td>
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<tr>
<td>d</td>
<td></td>
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</tr>
</tbody>
</table>

Key vocabulary
- lawyer
- attorney
- qualified
- litigation
- right of audience
- practise
- judge
- legal practice
- advocacy
- appear
- barristers
- training contract
- partnership
- pleading a case
- solicitors
- law firm
- acting for
- represent
- specialise
- clients

Exercise 2
Read this text about working in law. The most important words are in the key vocabulary below. Decide if the statements on the next page are true or false.

There are two types of lawyer who practise in England. They are called barristers and solicitors. In the USA and most other countries, lawyers don’t make this distinction - a lawyer is simply known as an attorney-at-law, or an attorney.

In both England and the USA, it is not possible to take a special exam to be a judge. If you decide that you want to be a judge, you must get a lot of experience as a lawyer first, then apply to be a judge and wait to see if you are chosen.

Most law students in England become solicitors. When they finish their university studies they do a one-year legal practice course and then a two-year training contract with a law firm. After that, they are qualified solicitors. Many solicitors work for a legal practice, which is usually a partnership of solicitors who work together. Solicitors practise in many areas of law, although each solicitor usually chooses to specialise in one particular area. They represent their clients both in and out of court. They often describe this as acting for a client. The process of making a claim in the civil court is called litigation.

Barristers are usually self-employed lawyers but can work in partnerships in the way that solicitors do. They are specialists in advocacy, which is the skill of speaking for someone in court. We call this pleading a case. They also give opinions on areas of law to solicitors and the solicitors’ clients. It is not just barristers who have the right of audience in court. Solicitors are also allowed to represent their clients in court and many solicitors appear in court every day. It is not true to say that a client always needs a barrister in court.
MAKING A CLAIM IN THE CIVIL COURT

In the English and American legal systems we divide the law into two main areas. These are criminal law and civil law.

This means that everything that is not a criminal matter is a civil matter.

Exercise 1
Look at these situations and decide if the person needs a criminal lawyer or a civil lawyer.

In other words, is it a criminal matter or a civil matter?

a. Mr Bellerby is opening a new factory. He needs to visit a lawyer to get a contract for all of his employees to sign.
   - [ ] criminal
   - [ ] civil

b. Mrs Robson is thinking about what she wants to happen to her house and possessions after her death. She needs to visit a lawyer to get the correct document, which is called a ‘will’.
   - [ ] criminal
   - [ ] civil

c. The police are taking Mr Dean to the police station because they say he stole a car. He needs a lawyer to come and visit him there to tell him what to do.
   - [ ] criminal
   - [ ] civil

d. Mr Flynn owns a restaurant. He has a contract with a company to deliver fruit and vegetables to his restaurant. The company didn’t deliver them on the agreed date, so Mr Flynn lost money because he could not open his restaurant that day. Mr Flynn needs to see a lawyer about asking the delivery company to give him the money he lost.
   - [ ] criminal
   - [ ] civil

e. Mr Allen is a bank manager. The bank is saying that some money is missing. Mr Allen has a new car and expensive clothes. The police are coming to ask Mr Allen some questions. He needs a lawyer immediately.
   - [ ] criminal
   - [ ] civil

Exercise 2
Read the information below. It is about starting a claim in the civil court. Decide if the statements that follow are true or false.

Starting a claim in the civil court

When you are in dispute with another person sometimes it is necessary to start a claim in the civil court. We sometimes call this process ‘filing a claim’ or ‘issuing a claim’. Lawyers also say ‘starting proceedings’. We do not use the verb ‘to prosecute’ in civil law because that verb is only used in criminal law. In England most civil claims are filed in the County Court. There are over 200 County Courts in England and Wales. Most cities and large towns have a County Court.

The person who starts the claim is called the claimant in the UK. This person was called the plaintiff until 1999, when there were new court rules in England to make everything easier for people to understand. However, in the USA the claimant is still called the plaintiff. In both England and the USA the other party is called the defendant.

A claim form is the document that a claimant uses to start legal action against the defendant.

Help desk

What do these words mean?

- **criminal law** – the law that punishes acts against a person or against property that people consider to be harmful to the whole community. The state prosecutes criminals.
- **civil law** – the law concerning the rights and duties of private individuals and companies other than criminal matters.
- **a matter** – a subject or situation, e.g. a criminal matter, a civil matter.
- **a will** – a legal document in which a person gives details of what they want to happen after their death.
- **to steal** (stole) – to take something that belongs to someone else with the intention of keeping it.

Why might a claimant start a claim? There are a lot of reasons, for example:

- someone refuses to pay you money that they owe to you
- someone does a job for you, but they do it badly. We call this bad workmanship
- something that you paid for is not supplied to you
- something that you bought is not working properly.

The claimant has to pay a sum of money, called a court fee, for the court to issue proceedings. In the claim form, the claimant must state the amount of his or her claim and request the defendant to pay all of the legal costs of the case.

Sometimes people talk about ‘the small claims court’. They really mean the special procedure that exists at the County Court for small claims. A small claim is a claim for less than £5000. This amount will probably increase in the future.

Help desk

What do these words mean?

- **to be in dispute** – to have a serious disagreement with another person.
- **a party to a court case** – the claimant or the defendant.
- **to owe money to someone** – to have to pay someone for something that they have done for you or given to you.
- **legal costs** – the court fees and payment for the lawyers who are acting for the parties.
- **a procedure** – a decided way of doing something.
- **to prosecute** – to take legal action against someone in the criminal court.
**Exercise 3**

Here are some important expressions which lawyers use when they talk about starting a claim in the civil court. Complete the sentences by matching the first half of each sentence with the correct ending.

(+) To issue a claim means to...

a To pay a fee means to...

b To serve a claim upon someone means to...

c To respond to a claim means to...

d To hear a case means to...

e To find in favour of someone means to...

f To give a judgment means to...

g To make an order means to...

h A bailiff is a person who...

...confirm that you have received the claim and to say what you will do next. (1)

...start a claim in the civil court.

...listen to the details of the claim and listen to what the claimant and the defendant say about their dispute. (2)

...pay the court an amount of money for issuing the claim. (3)

...can legally take a person’s property when that person does not pay money that he or she owes. (4)

...officially announce the result of the case. The judge may give the reasons for the decision. (5)

...send the claim to the defendant’s address and make sure that he or she receives it. (6)

...decide that this person has won the case. (7)

...officially state what someone has to do, and how and when he or she must do it. (8)

**Exercise 4**

Here are the steps in which a claim goes through the County Court. Fill the gaps with a word from Exercise 3.

a The claimant ___________ a claim in the County Court.

b The claimant will have to pay a ___________. The amount depends on the amount of money that the claimant is claiming.

c The court or the claimant’s solicitor ___________ the claim upon the defendant. This means that they send it to the defendant’s address and make sure that the defendant receives it.

d The defendant has 14 days from the day he or she receives the claim to ___________ to it. The defendant can admit the claim, which means to agree that the claim is right, and pay the money that the claimant wants, or the defendant can defend the claim.

e If the defendant decides to defend the claim, a judge will ___________ the case in the County Court.

f The judge will give his or her judgment. The judge will ___________ in favour of the claimant or the defendant.

g The parties must follow the terms of the ___________ that the judge makes and they must make sure that they obey any instructions about time limits.

h If the order says that the defendant must pay money to the claimant, then the claimant can use the services of a ___________ to collect that money if the defendant does not pay.

---

**AREAS OF LAW**

**Exercise 1**

In England and the USA there is an area of law called ‘the law of tort’. It is the law of civil responsibility. It is an area of civil law. Read this text about the law of tort. The most important words are in the key vocabulary below. Answer the questions that follow using a full sentence.

Key vocabulary

- law of tort
- duty of care
- negligence
- damages
- carelessness
- committed
- to sue
- no win no fee
- breach

The law of tort says that everyone has a civil duty to be careful and not to hurt or harm another person. Lawyers call this civil duty ‘the duty of care’. People who break this duty are sometimes called ‘negligent’. The law allows someone who is hurt by someone’s negligence to sue them for money damages. Sometimes the law calls this ‘compensation’. Sometimes the lawyer agrees that if the client does not win the case, there will be no fees. This is called a ‘no win no fee’ arrangement. It is allowed in the USA.

Example question: What is the duty of care?

Example answer: The duty of care is the obligation to be careful and not to harm anyone.

a How do lawyers say to ‘break’ a duty of care?

Answer:

b In England and the USA, is the law of tort an area of criminal or civil law?

Answer:

c There are different types of tort. In general, what is a tort?

Answer:
**Exercise 1**

Put a word from the key vocabulary in Exercise 1 into the following sentences.

**Exercise 2**

Put a word from the key vocabulary in Exercise 1 into the following sentences.

**Exercise 3**

Here is a list of some important areas of law. Read what the lawyers say on the next page. They are talking about the work they do. Match the lawyer with the correct area of law.

<table>
<thead>
<tr>
<th>a</th>
<th>law of contract</th>
<th>f</th>
<th>employment law</th>
</tr>
</thead>
<tbody>
<tr>
<td>b</td>
<td>company law</td>
<td>g</td>
<td>family law</td>
</tr>
<tr>
<td>c</td>
<td>land law</td>
<td>h</td>
<td>immigration law</td>
</tr>
<tr>
<td>d</td>
<td>law of tort</td>
<td>i</td>
<td>intellectual property law</td>
</tr>
<tr>
<td>e</td>
<td>law of equity and trusts</td>
<td>j</td>
<td>criminal law</td>
</tr>
</tbody>
</table>
Exercise 4
Choose a word or phrase from the box to complete the sentences.

- drafting
- the law of equity and trusts
- criminal law
- valid
- goods
- intellectual property law
- the law of tort
- family law
- merged

a A lawyer who deals with clients who are in trouble with the police is a specialist in ___________.
b Last year my bank ___________ with a big German bank and they are now called EuropBank.
I think they are the biggest bank in Europe now!
c A lawyer who deals with clients who create new inventions such as medicines, machines or new artistic works such as books or music, is a specialist in ___________.
d I spent three hours this morning ___________ a contract for my new client. I think the contract is ready for him to read and sign now.
e I want to put some of my money into a fund for the benefit of my grandchildren, which they will have when they reach the age of 18. I need to see a lawyer who is a specialist in ___________.
f Well, I am from London but I am ___________ Amsterdam at the moment because I am working for a Dutch company.
g A lawyer who deals with clients who are divorcing or who have problems over the care of their children is a specialist in ___________.
h The company delivers ___________ all over the United States by rail and by truck.
i A lawyer who deals with people who breach their civil duty of care is a specialist in ___________.
j That contract is not ___________ because your client has not signed it.

Exercise 5
Look at the words and phrases in the box. All of the words are connected with specific areas of law. Put the words into the correct sentence to complete the definitions.

- unfair dismissal
- lease of land and buildings
- formation of a business
- landlord
- maternity leave
- discriminate
- tenant
- capital
- sick pay
- insolvent
- redundancy
- partnership
- merger
- conveyancing
- real estate

a To be ___________ means not having enough money to pay your debts.
b A ___________ is the joining together of two or more things, such as companies, to form one single thing or company.
c A ___________ is a person who pays rent to the owner of a house, a flat or an office in return for living there, or for using the building for business purposes.

d ___________ is the legal process involved in transferring the ownership of a house or land from the seller to the buyer.
e To ___________ against someone means to behave differently towards that person, usually in the workplace, because of their age, sex or the colour of their skin.
f ___________ is a situation where someone loses his or her job for a reason that is not valid.
g ___________ is money that an employer must pay to an employee when that employee is ill and cannot work.
h A ___________ is an agreement to allow someone to use land or buildings for a fixed period of time in return for a payment of rent.
i The ___________ is the establishment of a new business in a specific way.
j A ___________ is a business which a minimum of two people own and control.
k ___________ is the time period when a woman is not at work before and after the birth of her baby. Her employer usually pays her for part or all of the time that she is away.
l ___________ is the total amount of money, property and other assets that a business has.
m ___________ is a situation where someone loses his or her job because an employer no longer needs so many employees.
n A ___________ is a person who owns a house, a flat or office and receives rent from someone for allowing them to live there, or use the building for business purposes.
o ___________ is a more formal way of saying land and buildings.

Help desk
What do these words mean?

- ownership – to have ownership of a property means that the property belongs to you. You are the owner of the property.
- assets – things that a person or company owns.
- debts – sums of money that you owe.
- rent – the money that someone pays, usually every month, to use a flat, a house or an office that belongs to someone else.
- fixed – something that is fixed is certain and cannot be changed.

Exercise 6
All of the words and phrases in Exercise 5 belong to either employment law, business law or land law. Put each word or phrase under the correct area of law.

<table>
<thead>
<tr>
<th>Employment law</th>
<th>Business law</th>
<th>Land law</th>
</tr>
</thead>
<tbody>
<tr>
<td>landlord</td>
<td></td>
<td></td>
</tr>
<tr>
<td>maternity leave</td>
<td></td>
<td></td>
</tr>
<tr>
<td>discriminate</td>
<td></td>
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<tr>
<td>tenant</td>
<td></td>
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<tr>
<td>capital</td>
<td></td>
<td></td>
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<tr>
<td>sick pay</td>
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<td>insolvent</td>
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<tr>
<td>redundancy</td>
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<tr>
<td>partnership</td>
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<tr>
<td>merger</td>
<td></td>
<td></td>
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<tr>
<td>conveyancing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>real estate</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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17 © Global Legal English
Exercise 7
Complete the following sentences by using the words from the employment law section.

a My baby will arrive at the end of March so I will take six months’ ____________ starting on 1 March.

b He sued his employer on the grounds of ____________ because the reason his employer gave for firing him was not valid.

c If you are ill and not able to work you should look at your contract to see if you can get ____________.

d It is against the law in England for an employer to ____________ against an employee because of his or her age.

e Many employees are worried about ____________ because a lot of businesses are closing in this area at the moment.

Exercise 8
Complete the following sentences by using the words from the business law section.

a The ____________ is the formal way of saying the way in which a new business is created.

b The total ____________ of the business is valued at approximately £32 million.

c The business does not have enough money to pay its debts and is ____________.

d There will be a ____________ next year between two major British chemical companies.

e My friend and I want to start a cleaning business together and we decided that the best thing to do is to create a ____________.

Exercise 9
Complete the following sentences by using the words from the land law section.

a He is a very good ____________. He always pays the rent on time!

b My sister works in the property department of her law firm. She acts for people who are buying and selling houses. She is a specialist in ____________.

c We don’t own our house; we rent it. The ____________ ends in three months so we will have to find somewhere else to live.

d He is the ____________ of five houses in this area. He makes a lot of money every month from the rent.

e The price of ____________ in this part of the country increased a lot last year. It is very expensive to buy a house.
TOLES FOUNDATION EXAM PRACTICE

Exercise 1

Look at the sentences below. Each sentence contains a mistake. The mistake is either an incorrect word or a word that should not be there. Put a circle around the word. Do not circle more than one word for each sentence. There is an example at the beginning (*).

Example

(* ) In the United States they do not __difference__ between two separate kinds of lawyer because all lawyers are known as attorneys.

1 When a student finishes his or her legal studies he or she has to make a two-year training contract with a law firm.

2 The law of tort says that everyone must to be careful and not harm other people.

3 I will start my training contract with the Taylor Wallis in September.

4 If we issue a claim against you we will ask for a very high damages.

5 He breached the contract and I will prosecute him in the civil court.

Exercise 2

Read the following article and decide if the statements under it are true or false. Write your answers in the box below. There is an example at the beginning (*).

Sanjay Pritam is a partner with a law firm in Southampton in the south of England. Sanjay is a specialist in maritime law. He chose this area of law because of his family history. His father owns a ship. Sanjay’s father worked on this ship for his whole life. Sanjay worked with him for two years and then he started his legal studies. Sanjay thinks this practical experience on a ship was very useful.

English law influences most of the law that governs international maritime cases. For this reason, lawyers from all over the world contact Sanjay’s office to ask him for his opinion, which he gives by phone or email.

When maritime lawyers are speaking informally they divide cases into two categories. They call them ‘dry’ cases and ‘wet’ cases. Dry cases involve problems with shipping contracts and wet cases involve problems at sea, such as ships that have accidents. Most of the cases that Sanjay deals with cannot be negotiated and end in litigation.

Example

(* ) Sanjay Pritam works in a family law practice.

1 Sanjay’s father is also a lawyer.

2 Sanjay thinks it is good that he worked on a ship before he was a lawyer.

3 Sanjay usually travels to other countries to help lawyers who have questions about maritime law.

4 A maritime case involving a breach of contract is informally called a ‘dry case’.

5 Most of Sanjay’s cases go to court because the parties cannot agree upon a solution.

(* ) FALSE (1) (2) (3) (4) (5) (6) (7) (8) (9)

Exercise 3

Here is a conversation between a lawyer and his client. The conversation is mixed up. Put the conversation in the correct order. Write your answers in the boxes numbered 2–9 below. There is an example at the beginning (*), which is the start of the conversation.

(* ) Good Morning Mr Rodriguez. Thank you for coming to see me. I understand that you would like to issue a claim in the County Court?

a Three months is a long time. I agree that you should issue a claim. I will explain to you how it all works. The first thing that we must do is to complete a claim form and file it at the County Court.

b Yes, you will have to pay a fee. But if you win, the judge will usually order the defendant to pay back the fee. The next thing that happens after we file the claim is that the court will serve the claim form upon the defendant.

c Yes, that is correct. I think going to court is the only thing that I can do. I supply food to restaurants and cafés in Chatsworth. I have a contract with all of my customers. The contract states that a customer has 14 days to pay me from the date they receive a delivery. A customer who owns a café in town is three months late in paying me. I would like to start proceedings against him.

d I see. What information do you need to complete the claim form?

e He has 14 days to respond. In this case I hope your customer agrees that your claim is correct and that he will pay the money he owes you when he receives the claim. That is the best thing that can happen.

f I need the name and address of your customer. When we file the claim your customer will be called the defendant. I also need the details of your claim. I need to know when the defendant received the delivery from you and when he was supposed to pay you. Please bring me a copy of the contract so that I can check the part of it that talks about payment. How much money does he owe you?

g And when he receives the claim how many days does he have to respond to it?

h £430. I can bring a copy of the contract to your office this afternoon. What happens when we file the claim? Do I have to pay a court fee?

(1) (2) (3) (4) (5) (6) (7) (8) (9)
THE IMPORTANCE OF COLLOCATIONS

Collocations are words that form natural partnerships in English. For example, we say, ‘Merry Christmas!’ but ‘Happy New Year!’

Why can’t we say ‘Merry New Year’? It’s because a native English speaker wouldn’t expect these words to go together. They do not form a good collocation. Legal English is full of collocations. They might be:

- verb + noun
  Do you accept liability?

- noun + verb
  The gap has widened between them.

- verb + adverb
  Could we please discuss this matter rationally?

The key to learning accurate legal English is to have a good familiarity with collocation. Some nouns form good collocations with more than one verb. Some nouns form a good collocation with just one verb. The important thing is to start to notice accurate collocations and memorise them. For example:

<table>
<thead>
<tr>
<th>Collocation bank</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>to draft</strong> a contract</td>
</tr>
<tr>
<td><strong>to honour</strong> a contract</td>
</tr>
<tr>
<td><strong>to breach</strong> a contract</td>
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<tr>
<td><strong>to write</strong> a contract</td>
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<td><strong>to respect</strong> a contract</td>
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<td><strong>to infringe</strong> a contract</td>
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As you work through this book you will see many collocations. To help you notice and remember accurate collocations they have been put into a collocation bank for you. The symbol means ‘memorise’.

Exercise 1

Look at these sentences. They contain collocations that are in Unit 1A. Complete the sentences with the correct collocation from the four choices on the next page.

a Solicitors are allowed to ____________ clients in court.

b I am afraid I can’t help you. I am a commercial lawyer and this is a criminal ____________.

c What are the ____________ for your case?

d I will ____________ my final law exams in June of next year.

e My client is ____________ a new factory and he needs advice about the relevant health and safety regulations.
SOLICITORS AND BARRISTERS

Exercise 1

Diana Williams is a lawyer. Today she is going to visit a school in her town to talk to the students about a career in law. Here are some of Diana’s notes for her talk. In this section she is talking about the two separate professions that exist in England, solicitors and barristers. Fill in the gaps in the text with the correct word from the box below.

- partner
- qualify
- judge
- practices
- client
- court
- solicitor
- associate
- attorney
- issued

Exercise 2

Using the knowledge that you have about collocations and prepositions correct the language below.

‘My name is Luigi and I am a lawyer (a) Milan. I work (b) a big law firm. Today I am very busy. I am (c) writing a contract (d) a new client. This afternoon I am (e) speaking for a different client in court. It is a (f) disrespect of contract case. I think we will win the case because our (g) reasons are very strong.’

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The Importance of Prepositions

As you work through this book you will see many prepositions. To help you notice and remember accurate prepositions in a legal context they have been put into a preposition bank for you. The symbol means ‘memorise’.

Preposition bank

- an attorney at law
  ‘My daughter is an attorney at law in Atlanta.’
- to send a cheque for an amount of money
  ‘Please send a cheque for £20000.’
- subject to something
  ‘The goods are for sale at this price subject to availability.’
- an amount of money
  ‘Suing someone is a more informal way of saying...’
- a maximum of £5000.
  ‘...to send a cheque for an amount of money...’
- subject to something
  ‘The goods are for sale at this price subject to availability.’

Exercise 1

Complete these sentences with a preposition that you saw in Unit 1A.

a. The judge awarded my client £20,000 (a) damages.
   d. Stephen works for a law firm (b) Manhattan.

b. Suing someone is a more informal way of saying starting proceedings (c) someone.

Exercise 2

Using the knowledge that you have about collocations and prepositions correct the language below.

‘My name is Luigi and I am a lawyer (a) Milan. I work (b) a big law firm. Today I am very busy. I am (c) writing a contract (d) a new client. This afternoon I am (e) speaking for a different client in court. It is a (f) disrespect of contract case. I think we will win the case because our (g) reasons are very strong.’

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Exercise 2
Look at the solicitors’ advertisements on the opposite page. Give the name and the telephone number of the firm of solicitors that I should call if I have the following legal problems.

a. I have reached the age of 50 and I am thinking about what I want to happen to my property after my death.

b. I want to begin a business importing electrical goods from one European Union country into another and I want to know what the rules are.

c. I am a woman who is angry that a man doing the same job in the factory where I work is paid more than I am.

d. I am a visitor to England from the USA. I came to work in London 18 months ago, with the permission of the British authorities. However, I only had permission to be here for a year and now I am afraid because I have broken the law.
Exercise 3
Find a word in the advertisements that matches the following definitions.

a. Not taking enough care over something that you are responsible for with the result that mistakes are made or someone is hurt.
   The word is ______________________

b. The process of legally transferring the ownership of land or buildings from one person to another.
   The word is ______________________

c. A situation where someone has to leave their job because they are no longer needed by their employer.
   The word is ______________________

d. An organisation that exists in order to collect money, food or goods and give them to people who need them.
   The word is ______________________

e. The state of a business not having enough money to pay what it owes.
   The word is ______________________

f. A person or company which pays rent to another person to allow them to live in or use land or buildings.
   The word is ______________________

Exercise 4
Say whether the following statements about the advertisements are true or false.

a. If I invent a new type of water heater that I don't want anyone else to be able to copy, I should call 0771 777 5454.
   True  False

b. If I want to study law, I should call McCarthy Kyle & Co.
   True  False

c. Matthew Morrison will always accept any client on a no win no fee basis.
   True  False

d. The 1st Call Accident Centre specialises in the law of tort.
   True  False

e. Matthew Morrison deals with complaints about other solicitors.
   True  False

Collocation bank
- to make a will
- a breach of contract
- to be made redundant

Preposition bank
- to import goods from another country
  “She imported her car from Belgium.”
- to deal with something
  “Could you please deal with Mr Jones for me as I am busy this morning?”
- to import goods into a country
  “She imported her car into England.”
- to take care over/with something
  “Please take care over/with that document because it is very important.”
- to make sure that no one suffers a loss if an agreement is broken.
- to prosecute
- to carry out

Exercise 2
Look at the categories of civil law and match them with the simple definitions provided below.

Maritime law
- The law of tort
- Business and company law
- Contract law
- The law of equity & trusts
- The law of real property/conveyancing

IT law
- Intellectual property law
- Employment/labour law
- The law of real property/conveyancing

a. The law that deals with private agreements between people or companies and tries to make sure that no one suffers a loss if an agreement is broken.
   f. The law that deals with everything connected with the sea or ships.
   b. The law that deals with situations where someone has control of property for a period of time and must look after it for the benefit of someone else.
   g. The law that deals with people’s rights, pay or conditions in the workplace.
   c. The law that deals with events such as divorce and the custody of (the right to look after) children.
   h. The law that deals with the way businesses are set up (created) and run (operated) and how they must work in relation to each other and the general public.
   d. The law that deals with everything connected with information and how it is passed between people, especially by means of the Internet.
   i. The law that deals with the way businesses are set up (created) and run (operated) and how they must work in relation to each other and the general public.
   e. The law that deals with land, including transferring the ownership of buildings or land from one person to another.

AREAS OF LAW

Exercise 1
Look at the words in the box and decide if they come from civil law or criminal law.

- robbery  [criminal, civil]
- contract  [criminal, civil]
- partnership  [criminal, civil]
- prison  [criminal, civil]
- litigation  [criminal, civil]
- sue  [criminal, civil]
- business  [criminal, civil]
- prosecute  [criminal, civil]
Exercise 3
Look at the situations below and decide which area of civil law is relevant.

a. Anna agreed to pay Paul £4000 to landscape the garden at her new house. Paul has now finished the work but Anna says she is not satisfied with it and she has refused to pay him.

The area of law is _______________

b. Caroline and Susan want to start a business together. They need a solicitor to draft an agreement for them about how they will share all the responsibilities of the business.

The area of law is _______________

c. Daniel wants his two-year old grandson, Wayne, to have his house when he dies. However, if Daniel dies before Wayne is 21 years old Daniel wants his friend, Harry, to look after the house until Wayne reaches 21 years old.

The area of law is _______________

d. Emily has been in hospital and has been very ill after an operation. She thinks that the doctor was negligent and that he has made her illness worse by his actions. She wants to claim damages.

The area of law is _______________

e. Bill has been married to Ruth for 14 years. However, he now wishes to leave Ruth and live with Jane. Bill and Ruth cannot decide how to share their property between them.

The area of law is _______________

f. Phillip has received an offer to buy his house, but there is a problem with the exact position of the boundary. The buyer’s solicitor must check this before the contract is signed.

The area of law is _______________

g. Elisabeth’s company transports goods from South America to England by ship. However, there was a bad storm at sea last week and the ship carrying the goods sank off the coast of France.

The area of law is _______________

h. David has been using the Internet to send a lot of private emails at work and his boss says that this is an abuse of the time for which he is paid. David has been sent home from work on full pay because his boss is investigating the situation.

The area of law is _______________

Collocation bank

- to pass information
- to suffer a loss
- to set up a business
- to claim damages
- to run a business
- to draft an agreement

Preposition bank

- to pass information between two people or among a group of people
  "Once the confidential information had passed between the two of them, it was known among the whole group in the office in just a few days."
- to be married to someone
  "She has been married to Peter for seven years."
- to be on full pay
  "The company suspended him from work on full pay."

THE REGISTER OF LETTER WRITING

Exercise 1
Diana Williams has received this letter from a student at the school where she gave her talk. The words that have been underlined are too informal. Complete the same letter on the next page by choosing a better word or phrase from those in the blue box.
LISTENING

Exercise 1

Listen to this trainee lawyer speaking about his experience of working for a major law firm in London. Some words are missing from the text. Listen carefully and write the missing words in the box below.

“My name is Rob Jones and I’m a trainee with a law firm. I’ve always wanted to be a (a) ________ and I can’t imagine doing any other job. I started working here at Taylor Wallis a year ago. Taylor Wallis is a global law firm with its headquarters in the City of London. I studied law at Manchester University but I wanted to do my training contract in London because I’m interested in (b) ________ law and banking and I think the best positions with the top law firms are here. I think my parents were disappointed that I didn’t become a (c) ________ and work in chambers and wear a wig in court, but I wasn’t interested in that at all!

With this law firm the two-year training contract is divided into four periods. Each six-month period is called a ‘seat’. My first seat was in the (d) ________ departm ent. That really just means dealing with companies and businesses. I was involved in meeting clients, (e) ________ documents and took part in some very high value deals. Of course, I had lots of support from the experienced people working on my team (we call them the principals) but I was surprised at how much responsibility they gave me.

My second seat was in the property departm ent. This involved (f) ________ for clients who were buying and selling domestic and commercial property, much of it office buildings here in London. I was able to get some experience of (g) ________ as well as a little landlord and (h) ________ law when we dealt with rentals.

Next I will be moving into the (i) ________ property departm ent. I’m really pleased about that as it covers quite a few different areas of law and can involve famous clients. At the moment the department is dealing with a breach of copyright case for a famous musician.

I hope to stay with Taylor Wallis when I (j) ________ as a lawyer next year. In fact, I’m looking forward to being based in London for most of my legal career.”
The type of lawyer who works in chambers and pleads cases (usually in the higher courts) is known as a ________________.

Things that are produced in order to be sold are called ____________.

A lawyer in the USA is usually known by the general name of ____________.

Preposition review

Complete these sentences with the correct preposition.

a I am working _________ a very interesting merger project at the moment.

b A landlord is a person who receives rent _________ someone.

c I'm afraid that this firm does not deal _________ criminal law.

d I am based _________ Stockholm at the moment.

e In your claim form you have made some very serious allegations _________ my client.

f She imports goods _________ Germany from China.

g Which judge is presiding _________ this case?

h We will lend you the money subject _________ confirmation of the amount of your salary.

i Please send a cheque _________ £20 to this address.

j Have you heard the news? Jennifer and Steven have gone _________ partnership.

Vocabulary review

Complete these sentences with a word that you have seen.

a A person who pays rent to a landlord is a ____________.

b He has worked for that company for 20 years but business isn’t good at the moment and they might have to make him _________.

c They went into _________ last year, which means they own and run the business together.

d She is an expert in _________ procedures. She deals with companies that don’t have enough money to pay their debts.

e She deals with _________: it concerns the buying and selling of land and houses and making sure the ownership of them is legally transferred.

f The process of two people talking about their legal problem with an independent person to help them agree on a solution is called _________.

g If you want to sue someone who hasn’t been careful enough, the grounds for your case would probably be _________.
Exercise 1
There is a word or phrase missing from the following sentences. For each sentence circle the word or phrase which best fits into the space from the options provided. Do not mark more than one answer for each sentence. There is an example at the beginning (+).

Example If a person loses his or her job for a reason that is not valid it is called unfair (+) ___________.

1 Solicitors are allowed to (1) ___________ clients in court.
2 This is a criminal (2) ___________, so I will have to refer you to a colleague who deals with criminal law.
3 I studied some landlord and (3) ___________ law when I was at university but I don’t remember it now.
4 It is legal in England and America for some lawyers to work on a no win no (4) ___________ basis.
5 I don’t think I will ever want to (5) ___________ as a judge because I enjoy my job as a solicitor.
6 I think it is fair that everyone gets (6) ___________ pay for doing the same job.
7 I have decided to specialise in land law so I expect to be doing a lot of (7) ___________.
8 My law firm has a good reputation for handling (8) ___________ property cases, especially if computer software is copied without the designer’s permission.
9 If a lawyer is allowed to be heard in a particular court we say that he or she has right of (9) ___________.
10 If you want the judge to award you damages from the defendant you will have to prove to the court that you have (10) ___________ a loss.

Exercise 2
Read the text below and think of the word that best fits each space. Use only one word in each space. Write your answers in the box below. There is an example at the beginning (+).

Barristers at work
Life as a barrister is prestigious but it can also be extremely stressful. Julia de Burca is a barrister in London. The first difficulty Julia had was to (+) ___________ as a barrister at all. Only 1200 or so law students manage to pass the Bar Professional Training Course in England and Wales every year. Only around 500 are awarded tenancy. In an average year approximately 1,500 students begin the course, so many do not make it.

The Bar Professional Training Course is described as a bridge between the academic study of law and having to actually (1) ___________ law in the real world. Julia passed the course three years ago.

In a typical day Julia leaves her flat at 7.30am and arrives at (2) ___________, the special name for a barrister’s office, at 8.30am. Julia shares a building with 14 other barristers. However, they are not partners. Barristers are allowed to share office accommodation but they do not usually form (3) ___________.

If she is representing a client that day Julia travels directly to court. Speaking on behalf of a client in court is called (5) ___________ a case. As a barrister, Julia has the right of audience in court at every level. She is a confident (6) ___________, which means that she is skilled at speaking in court. Julia is very successful in court, as she loves public speaking.

Most barristers are self-(4) ___________. If she is representing a client that day Julia travels directly to court. Speaking on behalf of a client in court is called (5) ___________ a case. As a barrister, Julia has the right of audience in court at every level. She is a confident (6) ___________, which means that she is skilled at speaking in court. Julia is very successful in court, as she loves public speaking. She is also required to do a lot of research and a lot of (7) ___________, which means writing legal documents. On days when Julia is not in court she spends her time preparing cases and writing opinions. She usually leaves work at around 7.30pm, taking any work that is not finished with her. Julia often works long hours over the weekend.

Julia is a specialist in insolvency, so she advises clients who (8) ___________ money but for some reason they cannot pay. All of Julia’s clients are companies. When a company has financial problems, Julia will advise the company if it can legally continue trading. She sometimes has to defend clients in court when legal (9) ___________ have been issued against them. If her client loses the case and the judge awards (10) ___________ to the claimant then Julia will advise her client on what to do next.

Example (+) qualify

<table>
<thead>
<tr>
<th></th>
<th>A firing</th>
<th>B redundancy</th>
<th>C dismissal</th>
<th>D release</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1)</td>
<td>A talk for</td>
<td>B act for</td>
<td>C represent for</td>
<td>D advocate for</td>
</tr>
<tr>
<td>(2)</td>
<td>A problem</td>
<td>B topic</td>
<td>C subject</td>
<td>D matter</td>
</tr>
<tr>
<td>(3)</td>
<td>A renter</td>
<td>B occupier</td>
<td>C tenant</td>
<td>D resident</td>
</tr>
<tr>
<td>(4)</td>
<td>A payment</td>
<td>B fee</td>
<td>C salary</td>
<td>D money</td>
</tr>
<tr>
<td>(5)</td>
<td>A sit</td>
<td>B practise</td>
<td>C arbitrate</td>
<td>D rule</td>
</tr>
<tr>
<td>(6)</td>
<td>A same</td>
<td>B equivalent</td>
<td>C alike</td>
<td>D equal</td>
</tr>
<tr>
<td>(7)</td>
<td>A transferring</td>
<td>B assigning</td>
<td>C relocating</td>
<td>D conveyancing</td>
</tr>
<tr>
<td>(8)</td>
<td>A invention</td>
<td>B creative</td>
<td>C intellectual</td>
<td>D original</td>
</tr>
<tr>
<td>(9)</td>
<td>A speaking</td>
<td>B consultation</td>
<td>C hearing</td>
<td>D audience</td>
</tr>
<tr>
<td>(10)</td>
<td>A suffered</td>
<td>B experienced</td>
<td>C had</td>
<td>D endured</td>
</tr>
</tbody>
</table>
Listening

Exercise 3
Listen to the conversation between a lawyer and some students. Answer the questions below.

1 How long has Helen Reay been working as a solicitor?

_______________________________________________________________________________________

2 What is the subject of Helen Reay’s university degree?

_______________________________________________________________________________________

3 How long a period of study is the Post-Graduate Diploma in Law?

_______________________________________________________________________________________

4 What reason does Helen Reay give for law firms employing lawyers whose first degree is not in law?

_______________________________________________________________________________________

5 What is the LLB?

_______________________________________________________________________________________

6 What is advocacy?

_______________________________________________________________________________________

7 When Helen Reay speaks about the Legal Practice Course she mentions four skills that are taught on the course. Two of the skills are drafting documents and advocacy. What are the other two?

_______________________________________________________________________________________

8 One of the students names an area of study that she is not very good at. What is it?

_______________________________________________________________________________________

9 Helen Reay says that getting a training contract with a law firm after university is a competitive business. What reason does she give for that?

_______________________________________________________________________________________

10 What is the role of solicitors?

_______________________________________________________________________________________