

СМОЛЕНСКИЙ ГУМАНИТАРНЫЙ УНИВЕРСИТЕТ
КАФЕДРА ЛИНГВИСТИКИ И ПЕРЕВОДА



ENGLISH FOR LAW DEPARTMENTS

**Учебно-методическое пособие
для студентов неязыковых
факультетов**

Составители: Марголина Е.Г., Зиновьева И.В.

Смоленск

2013

Предисловие

Марголина Е.Г., Зиновьева И.В.

В пособии использованы современные аутентичные материалы, обработанные и адаптированные для студентов юридического профиля.

Цель пособия – подготовить студентов к практической деятельности – умению работать с литературой по специальности и вести беседу по научной тематике.

Пособие позволит совершенствовать навыки чтения, перевода, устного изложения профессиональных материалов.

Правовая лексика вводится тематически, закрепляется в разнообразных упражнениях. Пособие включает 14 уроков, дополнительные тексты повышенной трудности и хрестоматию. Данное пособие разработано на базе учебного пособия "Just English" под редакцией Т.Н. Шишкиной, учебного пособия "Justice and the Law in Britain" С.Д. Комаровской и учебного пособия для вузов "English for Lawyers" С.А. Шевелёвой.

CONTENTS

Unit 1.
The Need for Law.

Unit 2.
Anti Smoking Law Proposed in the USA.

Unit 3.
Lawmaking Process in Great Britain and in the USA.

Unit 4.
The Court System of England and Wales.

Unit 5.
Types of Legal Professions.

Unit 6.
The Court System of the USA.

Unit 7.
US Attorneys.

Unit 8.
You – the Jury. A Handbook on Jury Service.

Unit 9.
Kinds of Cases.

Unit 10.
What Happens During the Trial.

Unit 11.
Crime.

Unit 12.
Punishment. The Purpose of State Punishment.

Unit 13.
A policeman and the Criminal World.

Unit 14.
Impeachment.

Supplementary texts.

Reader.

Unit 1 The Need for Law

Task 1. Read the text.

Nowadays it is obvious to everyone that, in a community such as the one in which we live, some kind of law is necessary to try to prevent people from killing each other. When the world was at a very primitive stage, there was no such law, and if a man wished to kill another man, no one interfered officially.

Later members of every community made laws for themselves in self-protection. If it were not for the law, you could not go out in broad daylight without the fear of being kidnapped, robbed or murdered.

There are more good people in the world than bad, but there are enough of the bad to make law necessary in the interests of everyone.

There is no difficulty in understanding this but it is important to understand that law is not necessary just because there are bad people in the world. If we were all as good as we ought to be, laws would still be necessary. If we never told lies, never took anything that didn't belong to us, never did anything that we ought not to do, we should still require a set of rules of behaviour, in other words laws, to be able to live in any kind of satisfactory state.

In the absence of law we could only rely upon the law of jungle. Every country tries, therefore, to provide laws which will help its people to live safely and as comfortably as possible. This is not at all an easy thing to do, and no country has been successful in producing laws which are entirely satisfactory. But it is better to have some imperfect laws than to have none at all.

Task 2. Learn the following words and expressions. Make your own sentences with them.

1. nowadays – в настоящее время	2. obvious – очевидный
3. a community – общество	4. a law – закон
5. necessary – необходимый	6. to prevent – препятствовать ч-л или к-л, мешать к-л сделать что-то.
7. to interfere – вмешиваться	8. self-protection – самозащита
9. to kidnap – похищать	10. to rob – грабить
11. to kill = to murder – убирать	12. to require – требовать
13. a set of rules – набор правил	14. behaviour – поведение
15. to rely upon – полагаться на	16. to provide – препятствовать ч-либо; мешать к-либо сделать что-то
17. in other words – другими словами	18. safely – безопасно
19. imperfect – несовершенный	

Task 3. Give the Russian equivalents to the words below:

It is obvious, in the community we live in, to prevent people; at a very primitive stage; to make laws; in self-protection; to be kidnapped or killed; in the interests of everyone; a set of rules; as comfortably as possible; entirely satisfactory.

Task 4. Find in the text the English equivalents for the following words:

в настоящее время	несовершенные законы
это очевидно	полагаться на закон джунглей
препятствовать ч-либо или кому-л.	создавать законы
набор правил поведения	действовать официально

Task 5. Find in the text the conditional sentences.

Task 6. Answer the questions:

1. Why is it necessary to have some kind of law in our community?
2. Why did people make laws?
3. Are there more good or bad people in the world?

4. Is there any country in the world which has perfect laws?
5. What is better: to have imperfect laws or have none at all?

Task 7. Make a list of arguments for and against the following statements.

1. Laws haven't changed since primeval times.
2. However hard people try, laws are always insufficient.
3. Laws are not for ordinary people, they are for lawyers.

Task 8. Speak about the need for law.

Unit 2

Anti Smoking Law Proposed in the USA

Task 1. Read the following text.

President Clinton called for new laws that would cut the number of teenagers who smoke.

Every day 3000 young people take up smoking, 1000 of them die early as a result.

"We want to cut that in half over the next 10 years, and we want to put in place financial penalties that will give the tobacco industry incentive to stop selling tobacco to children and start taking responsibility for reducing youth smoking", – said the President.

Besides Administration favoured a number of payments and penalties that can raise the price of cigarettes as much as \$1.50 a pack over next 10 years.

The Administration also approved a national "anti-smoking campaign" to warn young people of the danger of smoking.

Under the settlement that was reached in June, 1998, tobacco companies agreed to cut advertising and marketing and to pay fines if they refused to meet targets for reducing youth smoking. In exchange they would be protected from certain lawsuits.

The settlement says that smoking by teenagers who are under 18 must fall 30 per cent in 5 years, 50 per cent in 7 years and 60 per cent within 10 years.

If the companies don't meet the targets, they will pay a fine (\$80 million) for each per cent they fall short. The fine will be more than \$2 billion a year.

The proposed legislation must protect the interests of tobacco farmers and disclose tobacco companies documents.

However, because of stiff criticism the legislation was left open to discussion and amendment.

Task 2. Learn the following words and expressions.

1. to call for – призвать к ч-л.	2. advertising – реклама
3. to cut – сокращать	4. target – цель
5. financial penalties – денежное взыскание	6. to fall short – не хватать, иметь недостаток в чём-либо
7. incentive – побуждение, мотив	8. to pay fines – платить штрафы
9. to take responsibility – брать на себя	10. the proposed legislation – предложенный законопроект
11. to reduce – уменьшать, сокращать	12. to disclose – раскрывать, обнародовать
13. to favour – одобрить	14. stiff – жёсткий
15. settlement – соглашение	16. amendments – поправки (к законопроекту)

Task 3. Translate into Russian:

1. Every day 3000 young people take up smoking.
2. We want to put in place financial penalties that will give the tobacco industry incentive to stop selling tobacco to children and start taking responsibility for reducing youth smoking.
3. Tobacco companies agreed to cut advertising and marketing and to pay fines if they refused to meet targets for reducing youth smoking.

Task 4. Find in the text the English equivalents for the following expressions:

1. Призвать к принятию новых законов.
2. Сократить число курящих подростков.
3. Поднять цену до 1,5\$ за пачку.
4. Предупредить молодых людей об опасности курения.
5. Сократить рекламу и продажу.
6. Предложенный законопроект.
7. Защитить интересы фермеров, выращивающих табак.
8. Оставить законопроект открытым для обсуждения и поправок.

Task 5. Match the English and Russian synonyms:

одобрить ряд платежей и взысканий	to pay fines
платить штрафы	to reduce youth smoking
сокращать курение среди молодёжи	to cut the number of teenagers who smoke
сократить число курящих подростков	to reduce youth smoking
призвать к принятию новых законов	to start taking responsibility
начать брать на себя ответственность	to call for new laws

Task 6. Answer the following questions.

1. What is the target of the new legislation proposed by President Bill Clinton?
2. The Administration favoured a number of payments and penalties. What can these payments change?
3. Why did the Administration approve of a national "anti-smoking campaign"?
4. What do you know about the settlement of June, 1998?
5. How much will tobacco companies pay if they don't meet the targets?
6. Does the legislation protect the interests of tobacco farmers?

Task 7. Make your own questions to the text.**Task 8. Agree or disagree to the statements.**

1. No laws can cut smoking and drug taking.
2. If the price of a pack is \$1,5 all smoking people will stop smoking.
3. Anti-smoking legislation can be effective.
4. If TV and radio warn young people of the danger of smoking, they will not take up smoking.

Task 9. Fill the gaps using preposition from the box

up	1. President Clinton called ... new laws.
to	2. Every day 3000 young people take ... smoking.
for	3. We want to cut that ... half ... next 10 years.
in	4. We want to put ... place financial penalties.
in	5. We want to stop selling tobacco ... children.
in	6. We want to start responsibility ... reducing youth smoking.
in	7. The settlement was reached... June, 1998.
for	8. ...exchange they would be protected from certain lawsuits.
over	9. Smoking ... teenagers who are under 18 must fall 30 per cent ... 5 years and 60 per cent ... 10 years.
by	
within	10. Because ... stiff criticism the legislation was left open.
of	

Task 10. Make topic "Anti Smoking Law Proposed in the USA"

Unit 3

Lawmaking Process in Great Britain and the USA

Task 1. Read the following texts.

Britain

In Britain new legislation usually starts in the House of Lords. In each house a bill is considered in three stages, which are called readings. The first reading is practically formal, to introduce the bill

The second reading is normally debate. After the second reading the bill is examined in detail by a committee. Then the bill is returned to one of the houses. Here it can be amended. If it passes the third reading, it goes to the other house. Amendments made to a bill by the House of Lords must be considered by the Commons. If the bill is not agreed by the House of Commons, it must be altered and sent back to the Lords.

In the event of persistent disagreement between the two houses, Commons prevails. Finally, the bill goes to the monarch for the royal assent. Nowadays it is merely a formality.

United States

The US Congress consists of two houses: the House of Representatives and the Senate. Any congressman or the president may initiate new legislation. The proposed legislation, or bill, is first introduced in the House of Representative. Then it is sent to one of the standing committees, which organizes hearing on it. The draft may be approved, amended or shelved. If the bill is passed by the committee, it is considered by the House of Representatives as a whole. If it is passed there, it goes to the Senate, where there are similar committee hearings and general debate.

When there is some disagreement, the House of Representatives and the Senate confer together.

Finally the bill must be signed by the President, who has the right to veto it. If the president vetoes a bill, it can still become a law – only if it is passed by a two-thirds majority in both houses of Congress.

Task 2. Learn the following words and expressions. Make your own sentences with them.

1. legislation – законодательство	2. to consider – рассматривать
3. reading – чтение	4. to introduce the bill – представить законопроект
5. debate – дискуссия, дебаты	6. to amend – исправлять
7. to pass the bill – провести законопроект	8. to alter – изменять, переделывать
9. the royal assent – Королевская санкция, одобрение	10. standing committee – постоянная комиссия, комитет
11. hearing – слушание	12. to approve – одобрять
13. to shelve – отложить	14. draft – проект
15. to confer – совещаться	16. to sign – подписывать
17. to veto – отклонять	18. law – закон
19. majority – большинство	

Task 3. Give the Russian equivalents to the words below:

legislation starts; a bill is considered; the first reading is formal; the bill can be amended; the House of Commons; persistent disagreement; the royal assent; the House of Representatives; the proposed legislation; general debate; the bill must be signed; a two-third majority.

Task 4. Find in the text the English equivalents for the following words:

1. закон рассматривается на трёх стадиях	2. представлять законопроект
--	------------------------------

3. законопроект детально исследуется комитетом	4. пройти третье чтение
5. изменить законопроект	6. палата представителей
7. постоянный комитет	8. одобрять проект
9. отложить проект	10. слушания в комитете
11. совещаться вместе	12. право вета

Task 5. Use one of the words or word combinations from the box in an appropriate form to fill each gap.

legislation
 in three stages
 to introduce the bill
 to pass the third reading
 the royal assents
 to approve
 to sign
 the House of Commons

1. The draft may
2. Finally the bill goes to the monarch for
3. New ... usually starts in the House of Lords.
4. In the event of persistent disagreement, ... prevails.
5. In each house a bill is considered
6. The first reading is
7. Finally the bill must ... by the president.
8. If the bill ..., it goes to the other house.

Task 6. Give a synonym from the box to the following words or word-combinations.

debate
 to shelve
 to alter
 the royal assent
 majority
 to amend
 a draft
 a bill
 to introduce
 veto

1. to correct smth.
2. to announce formally
3. a project
4. to change smth, to improve
5. a discussion
6. a formal proposal for a new law
7. the number greater than half of any total
8. agreement
9. to put off or aside
10. the presidents' disapproval of a bill that has been passed by both houses of Congress

Task 7. Find in the text the sentences where the verbs are used in the Passive Voice.

Task 8. Answer the questions:

1. In which houses does new legislation usually start?

- a) in Great Britain
- b) in the USA
- 2. What is a bill? How does a bill become a law?
- a) in Great Britain
- b) in the USA
- 3. Who has the right of veto?
- a) in Great Britain
- b) in the USA

Task 9. Put your own questions to the texts.

Task 10. Speak about the lawmaking process in Great Britain and the USA.

Unit 4

The Court System of England and Wales

Task 1. Read the text

The most common type of law court in England and Wales is the magistrates' court. There are 700 magistrates' courts and about 30 000 magistrates.

More serious criminal cases go to the Crown Courts. There are 90 branches of it in different towns and cities. Civil cases (as divorce or bankruptcy cases, for example) are dealt with in country courts.

Appeals are heard by higher courts. Appeals from magistrates' courts are heard in the Crown Court, unless they are appeals on points of law. The highest court of appeal in England and Wales is the House of Lords. As for Scotland it has its own High Court in Edinburgh. Here all appeals from Scottish courts are heard. Certain cases may be referred to the European Court of Justice in Luxembourg. Besides the British Government has been made to change its practices in some areas as a result of petitions to the European Court of Human Rights. The legal system also includes juvenile courts (they deal with offenders under seventeen) and coroners' courts, which investigate violent, sudden or unnatural deaths.

There are administrative tribunals, which deal with professional standards, disputes between individuals, and between individuals and government departments (for example, over taxation). These quick, cheap and fair decisions are made with less formality.

The court system in Northern Ireland is similar, but the system in Scotland is more different and separate.

Task 2. Learn the following words and expressions. Make your own sentences with them.

1. a court – суд	2. a case – дело
3. criminal case – уголовное дело	4. civil case – гражданское дело
5. divorce case – дело о разводе	6. bankruptcy case – дело о банкротстве
7. an appeal – апелляция	8. to refer – ссылаться, относиться
9. a petition – петиция	10. legal – законный, правовой
11. juvenile court – суд для несовершеннолетних	12. an offender – правонарушитель
13. a coroner – следователь	14. to investigate – исследовать, расследовать
15. violent – насильственный	16. sudden – незаконный
16. unnatural – неестественный	17. taxation – взимание налога

Task 3. Give the Russian equivalents to the words below:

the most common type of law court; criminal cases; the Crown Court; civil cases; are dealt with in County courts; appeals are heard; appeals on points of law; the European Court of Human Rights; juvenile courts; taxation.

Task 4. Find in the text the English equivalents for the following words:

суд магистрата; дело о разводе; верховный апелляционный суд; граждане; петиции; правовая система; расследовать насильственные смерти; суды графств; правонарушитель.

Task 5. Fill each gap with a word or word combination from the box in an appropriate form.

the magistrates' court
County courts
juvenile courts
to investigate
professional standards
the Crown Court
the House of Lords
appeals on points of law

1. The most common type of law court in England and Wales is
2. More serious criminal cases then go to
3. Civil cases are dealt with in
4. Appeals from magistrates' courts are heard in the Crown Court, unless they are
5. The highest court of appeal in England and Wales is
6. Offenders under seventeen are dealt with in
7. Coroners' courts ... violent, sudden or unnatural deaths.
8. Tribunals deal with

Task 6. Find in the text the synonyms for the following definitions:

1. a legal proceeding by which a case is brought to a higher court for review;
2. utter failure;
3. a court case involving a crime, or violation of public order;
4. an inferior judicial officer, such as Justice of the Peace (Br.);
5. a person who has committed an offence;
6. a formal written request to a superior;
7. recognized and permitted by law;
8. to make a systematic examination or study.

Task 7. Answer the questions:

1. Who is responsible for making laws in Britain?
2. What is the difference between criminal and civil law in the United Kingdom?
3. What is the most common type of law court in England and Wales?
4. Name three other types of British courts

Task 8. Discuss the following.

Which courts do you think would deal with:

- a) a bank robbery?
- b) a divorce case?
- c) a burglary committed by a fifteen-year-old?
- d) a drowning?
- e) a case of driving too fast?

Task 9. Speak about the court system of England and Wales.