

**CAREER
PATHS**

Law

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Express Publishing



Law

Book
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1 Basic legal terms



CHAPTER 1

1.1 People in the Legal System: Civil Cases

A civil case begins with a plaintiff. He or she has a **complaint** about the actions of another person or organization. The **plaintiff** files the complaint with a **court**.

The person or organization accused of a wrongdoing is the **defendant**. Both the plaintiff and the defendant usually have **attorneys**. The attorneys speak on behalf of their clients. A **paralegal**, a person with legal training, may assist the attorney.

In some cases, a **jury** listens to arguments for and against the defendant. Then they decide on a **verdict**. Finally, the **judge** makes a decision to resolve the complaint.

Get ready!

1 Before you read the passage, talk about these questions.

- 1 What are some different jobs in the legal profession?
- 2 Which legal job would you prefer, and why?

Reading

2 Read the text and complete the table using information from the text.

Person	Role or Job
1 _____	files a complaint
2 _____	is accused of a crime
attorneys	3 _____
Paralegal	4 _____
5 _____	resolves a complaint

Vocabulary

3 Match the words (1-7) with the definitions (A-G).

- | | |
|--------------------|-----------------|
| 1 ___ verdict | 5 ___ paralegal |
| 2 ___ legal system | 6 ___ plaintiff |
| 3 ___ court | 7 ___ civil |
| 4 ___ complaint | |

- A the methods of interpreting laws and putting them into effect
- B a legal conclusion
- C a written document that states the reason for legal action
- D the place where people go to conduct legal business
- E a person who accuses another person of a wrongdoing
- F an attorney's assistant with specialized legal training
- G occurring between citizens

4 Check (✓) the sentence that uses the underlined parts correctly.

- 1 A The plaintiff delivered a verdict at the end of the trial.
 B The judge listened to the attorneys' arguments.
- 2 A Twelve paralegals determined the outcome of the case.
 B The jury decided that the man was not guilty.
- 3 A The defendant hired an attorney to prove that he was innocent.
 B In court, the plaintiff always makes the final decision.
- 4 A Mr. Meaner's attorney represented him during the trial.
 B What verdict is the defendant accused of?

5 Listen and read the text again. Use the words in the photographs to present the people in the legal system.

Listening

6 Listen to a conversation between two attorneys. Choose the correct answers.

- 1 What is the conversation mostly about?
 - A the creation of a complaint
 - B an attorney's advice to a defendant
 - C a plaintiff's reaction to a verdict
 - D the progress of a civil case
- 2 Why is the man worried?
 - A The complaint is not true.
 - B The jury already decided.
 - C The defendant is guilty.
 - D The plaintiff has no proof.

7 Listen again and complete the conversation.

Attorney 1: Hi, Robert. How is that 1 _____ case going?

Attorney 2: Hey, Janet. It's not going all that well, actually.

Attorney 1: Oh? What's wrong?

Attorney 2: The defendant's 2 _____ is pretty good. He's making our 3 _____ seem weak.

Attorney 1: Well, it's not, is it?

Attorney 2: No, the 4 _____ owes my client thousands of dollars. But that's based on a verbal agreement.

Attorney 1: I see. So the 5 _____ has nothing in writing?

Attorney 2: Exactly. I'm worried that the 6 _____ will decide against us.

Speaking

8 With a partner, act out the roles below based on Task 7. Then, switch roles.

USE LANGUAGE SUCH AS:

How is that ... going?
What's wrong?
I'm concerned that the ...

Student A: You are an attorney. Talk to another attorney about a civil case. Ask Student B about:

- the case
- the complaint
- the problem

Student B: You are an attorney representing a client in a civil case. Answer Student A's questions.

Writing

9 Use the conversation from Task 8 to fill out an update on the attorney's case.

Civil Case Update

Attorney: _____

Plaintiff's Complaint: _____

Possible Outcome: _____

Reason: _____



2

Basic legal concepts



1 settle



2 damages

Get ready!

1 Before you read the passage, talk about these questions.

- 1 Why do people decide to take legal action?
- 2 What do people need to do in order to start a case?



3 appeal



4 trial

BUTLER & EVANS ASSOCIATES

Are you injured because of someone else's carelessness? Are you involved in a **dispute** with a neighbor? Butler and Evans is available to help you take **legal action**.

Everyone is entitled to **due process**. When you decide to **initiate** a **lawsuit**, call us. We are going to make sure you get the **damages** you're entitled to. Our investigators are able to get all the **proof** needed for your **trial**. When a verdict is not in your favor, we **appeal** whenever possible.

In the event we fail to **settle** or win your case, you don't owe us anything. So what do you have to lose? Call 876-0251 today to arrange a meeting.

☆☆☆



5 proof

Reading

2 Read the brochure and mark the following statements as true (T) or false (F).

- 1 Butler and Evans Associates helps people who have been hurt.
- 2 The firm's clients are responsible for bringing proof to the attorneys.
- 3 The firm does not charge clients whose cases are not won or settled.

Vocabulary

3 Choose the word that is closest in meaning to the underlined part.

- 1 Jane received money as compensation for her accident.
A proof B damages C due process
- 2 The law firm helps people involved in an argument or conflict with their neighbors.
A a dispute B a lawsuit C a trial
- 3 Ms. Harris wants to start the process of legal action.
A appeal B initiate C settle
- 4 Everyone in the country has the right to receive justice according to established rules.
A due process B appeal C damages
- 5 Mr. Tan initiated a legal course of action against his neighbor because her dog barks too much.
A appeal B lawsuit C dispute

4 Fill in the blanks with the correct words and phrases from the word bank.

Word BANK

legal action proof settle trial appeal

- 1 Hopefully, Mr. Wilton will be able to _____ this problem without going to court.
- 2 Mrs. Janson decided to _____ after the judge ruled against her.
- 3 In this _____, the defendant is accused of stealing from a bank.
- 4 Ms. Britt wants to take _____ against her employer for not giving her a promotion.
- 5 Attorneys don't win cases when there is not enough _____ to support their arguments.

5 Listen and read the brochure again. What services does the company offer?

Listening

6 Listen to a phone call between a client and an attorney at a law firm. Choose the correct answers.

- 1 What is the conversation mostly about?
 A an offer to settle C the filing of a lawsuit
 B evidence in a trial D an injury from a car accident
- 2 What will the man mostly likely do?
 A Bring in more evidence.
 B Refuse the attorney's offer.
 C Pay for half of the damages.
 D Drop the lawsuit against the woman.

7 Listen again and complete the conversation.

Lawyer: Hello, Mr. Williams. I received an 1 _____ from Ms. Johnson's lawyer. She's ready to end this dispute.
Client: Really? What do we need to do?
Lawyer: Well, she's not dropping the 2 _____ unless you agree to 3 _____.
Client: What is she asking for?
Lawyer: She wants you to 4 _____ of the damages to her car.
Client: But I didn't wreck her car! Someone else ran into it.
Lawyer: I know. But since you have no 5 _____, I suggest you settle.
Client: I don't like it. But I guess 6 _____.

Speaking

8 With a partner, act out the roles below based on Task 7. Then, switch roles.

USE LANGUAGE SUCH AS:

She's ready to end this dispute.

What is she asking for?

I suggest you ...

Student A: You are an attorney. Another attorney has called to end a dispute. Talk to Student B, your client, about:

- the attorney's offer
- what the client must do
- your advice

Student B: You are in a dispute. Student A is your lawyer. Talk to him or her about ending the dispute.

Writing

9 Use the conversation from Task 8 to fill out the attorney's notes.

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ASSOCIATES

Meeting Notes

Client: _____

Date: _____

Meeting about: _____

Recommended that client _____

Client will _____

3 Legal resources

Get ready!

1 Before you read the passage, talk about these questions.

- 1 Where can legal professionals get information about cases?
- 2 Why do legal professionals need good research skills?

Letter of the Law

Where do I look?

Miriam Wheeler

There are many legal **resources**, so it's important to know how libraries organize them.

Most libraries have a section for **primary materials**. These texts contain laws relevant to cases.

Secondary materials give **opinions** on the law. They include **legal encyclopedias** and **digests**.

Encyclopedias often **cite** primary sources in their **references**. Digests summarize individual cases that have similar topics.

Other legal publications include **case annotations** and **form books**. Annotations are articles about **cases**, and they are printed in law **journals**. Form books show how documents should be worded and formatted. Thankfully, most of these resources are available on **computerized databases**. That way, you don't have to carry around a ton of books!



1 legal encyclopedias

2 computerized database

3 reference

4 form book

5 digests

Reading

2 Read and choose the correct answer.

- 1 Legal professionals publish their thoughts and assessments about laws in
 - A digests
 - B primary materials
 - C form books
 - D case annotations
- 2 What can be inferred about form books?
 - A Judges use them when making decisions.
 - B Attorneys use them to find relevant laws.
 - C Lawyers use them when writing official papers.
 - D Libraries use them to organize computer databases.
- 3 Which of the following does NOT focus on information about laws?
 - A digests
 - B computerized databases
 - C primary materials
 - D legal encyclopedias

Vocabulary

3 Write a word that is similar in meaning to the underlined part.

- 1 The texts that contain laws are on the first floor of the library.
p _ _ _ a _ _ m _ t _ _ _ _ l _
- 2 Mary should look at a collection of example documents to see how to word the contract correctly.
_ o _ _ b _ _ _
- 3 Many law books mention information from primary materials.
_ _ t _
- 4 The best place to find an opinion on the case is in a book that summarizes cases.
_ i _ _ s _
- 5 The firm's legal sources of information are located in the room next to Mr. Wen's office.
_ _ s _ _ r _ _ _

4 Read and choose the correct words.

- 1 The paralegal can find the case annotations in the (**journals / legal encyclopedias**).
- 2 It is much easier for Jane to find resources when she uses the (**form book / computerized database**).
- 3 The writer noted all the texts he used in the list of (**digests / references**).
- 4 Mark found the (**case annotation / primary material**) in one of the legal journals.
- 5 A (**form book / legal encyclopedia**) is useful when looking up what a legal term means.

5 Listen and read the text again. How do libraries organize legal resources?

Listening

6 Listen to a conversation between a lawyer and a paralegal. Mark the following statements as true (T) or false (F).

- 1 ___ The woman located similar cases in the computerized database.
- 2 ___ Young defendants without previous convictions had their cases dismissed.
- 3 ___ The man asks the woman for a summary of the case annotations.

7 Listen again and complete the conversation.

Lawyer: Oh, Mary, you're back. Did the law library have anything to help our case?

Paralegal: Yes, there were several similar cases in the 1 _____. Apparently, judges often dismiss cases against young defendants.

Lawyer: OK. Do those defendants have anything 2 _____?

Paralegal: According to the 3 _____, none of them had any previous convictions.

Lawyer: That's perfect.

Paralegal: I also gathered 4 _____ about crimes involving young offenders.

Lawyer: Thank you. Can you do me one more favor? Write a summary of the 5 _____ on young defendants.

Paralegal: 6 _____.

Speaking

8 With a partner, act out the roles below based on Task 7. Then, switch roles.

USE LANGUAGE SUCH AS:

Did the law library have anything to help our case?

There were several similar cases in the ...

Can you do me one more favor?

Student A: You are a paralegal. Explain to Student B the information you found at the law library. Talk about:

- similar cases
- dismissed cases
- sources

Student B: You are a lawyer. Talk to Student A about the research he or she completed for a case.

Writing

9 Use the conversation from Task 8 to fill out the paralegal's notes on the case.

Sources:

Useful Information:

What cases have in common:

NOTES