





Virginia Evans Jenny Dooley David J. Smith

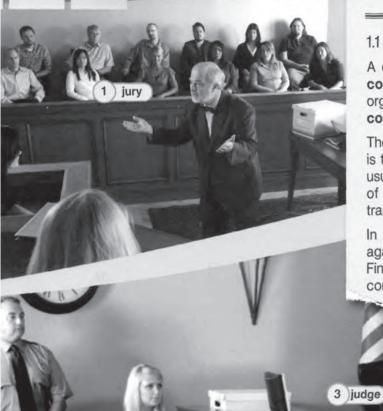




Table of Contents

Unit 1 - Basic legal terms4
Unit 2 - Basic legal concepts
Unit 3 - Legal resources
Unit 4 - Sources of law
Unit 5 - Preliminary documents
Unit 6 - Court structure
Unit 7 - Jurisdiction
Unit 8 - In the courtroom
Unit 9 - Court process
Unit 10 - Court etiquette
Unit 11 - Criminal law
Unit 12 - Civil law
Unit 13 - Administrative law
Unit 14 - Initial client interview
Unit 15 - Interviewing witnesses
Glossary 34

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.

4) attorney

Get ready!

 Before you read the passage, talk about these questions.

defendant

- 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

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

1 __verdict5 __paralegal2 __legal system6 __plaintiff3 __court7 __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

Speaking Check (✓) the sentence that uses the underlined parts correctly. 1 _ A The plaintiff delivered a <u>verdict</u> at the end of the trial. Then, switch roles. B The judge listened to the <u>attorneys</u> arguments. 2 _ A Twelve paralegals determined the outcome of the case. How is that ... going? B The jury decided that the man was not guilty. What's wrong? 3 _ A The <u>defendant</u> hired an attorney to prove that he was I'm concerned that the ... 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? the case 6 Shall Listen and read the text again. Use the words in the the complaint photographs to present the people in the legal system. the problem Listening 6 Listen to a conversation between two attorneys. Choose the correct answers. 1 What is the conversation mostly about? questions. A the creation of a complaint B an attorney's advice to a defendant Writing 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. Shisten again and complete the conversation. Attorney 1: Hi, Robert, How is that 1 ____

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.

(3) With a partner, act out the roles below based on Task 7.

USE LANGUAGE SUCH AS:

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

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

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

Get ready!

- Before you read the passage, talk about these questions.
 - 1 Why do people decide to take legal action?
 - What do people need to do in order to start a case?







BUTLER & EVANS A S S O C I A T E S

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.

古古台



5 proof

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 <u>receive justice</u> according to established rules.
 - A due process
- B appeal
- C damages
- 5 Mr. Tan initiated a <u>legal course of action</u> against his neighbor because her dog barks too much.
 - A appeal
- B lawsuit
- C dispute

Reading

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

from the word bank.	3 With a partner, act out the	
WOrd BANK	roles below based on Task 7 Then, switch roles.	
legal action proof settle trial appeal	USE LANGUAGE SUCH AS:	
 Hopefully, Mr. Wilton will be able to this problem without going to court. Mrs. Janson decided to after the judge ruled against her. 	She's ready to end this dispute. What is she asking for? I suggest you	
 In this, the defendant is accused of stealing from a bank. Ms. Britt wants to take against her employer for not giving her a promotion. Attorneys don't win cases when there is not enough to support their arguments. Student A: You are an Another attorney has contended end a dispute. Talk to Support their arguments. the attorney's offer what the client must 		
does the company offer? istening Listen to a phone call between a client and an attorney at a law firm. Choose the correct answers.	Student B: You are in a dispute. Student A is your lawyer. Talk to him or her about ending the dispute.	
 What is the conversation mostly about? A an offer to settle B evidence in a trial D an injury from a car accident 	Writing ① Use the conversation from	
 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. 	BUTLER & EVANS A 5 S O C I A T E S Meeting Notes	
awyer: Hello, Mr. Williams. I received an 1 from Ms. Johnson's lawyer. She's ready to end this dispute.	Client:	
Client: Really? What do we need to do? awyer: Well, she's not dropping the 2 unless you agree to 3	Meeting about:	
Client: What is she asking for?		
awyer: She wants you to 4 of the damages to her car. Client: But I didn't wreck her car! Someone else ran into it.	Recommended that client	
awver: I know But since you have no 5 I suggest you settle		

Client: I don't like it. But I guess 6 ___

Client will _

Legal resources

Get ready!

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

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.

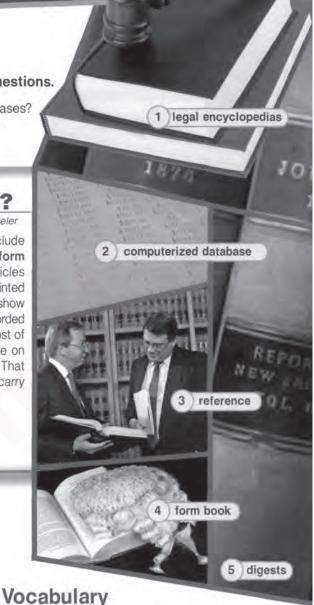
Secondary materials give opinions on the law. They include legal encyclopedias and digests.

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

There are many legal resources, 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!

Reading

- 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



- 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.

2 Mary should look at a collection of example documents to see how to word the contract correctly.

3 Many law books mention information from primary materials.

4 The best place to find an opinion on the case is in a book that summarizes cases.

5 The firm's legal sources of information are located in the room next to Mr. Wen's office.

A 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.
- 6 Solution Listen and read the text again. How do libraries organize legal resources?

Listening

- - 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.

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

(3) 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

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

