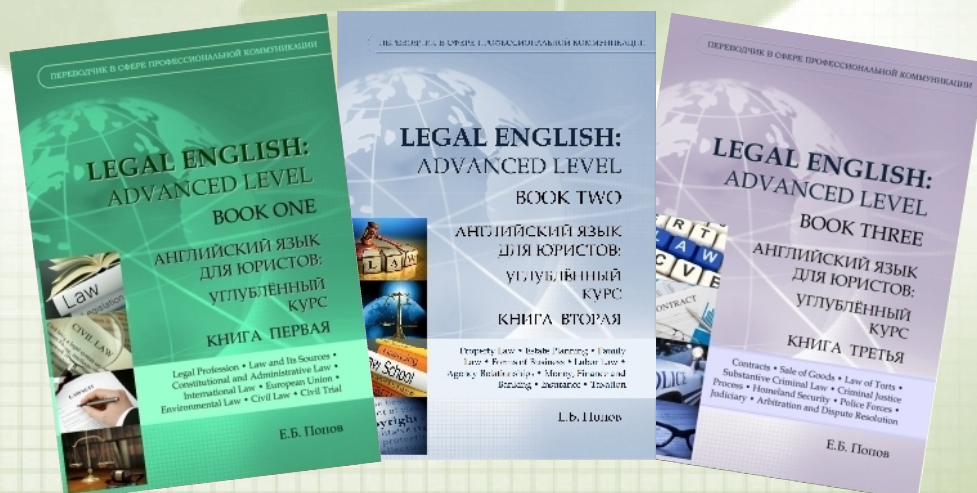


LEGAL ENGLISH: ADVANCED LEVEL VISUAL REFERENCE MATERIALS

наглядные материалы
к учебному пособию
“Legal English: Advanced Level:
Английский язык для юристов
УГЛУБЛЁННЫЙ КУРС



РИСУНКИ,
СХЕМЫ,
ТАБЛИЦЫ

ПЕРЕВОДЧИК В СФЕРЕ ПРОФЕССИОНАЛЬНОЙ КОММУНИКАЦИИ

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ДЛЯ ЮРИСТОВ:
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INTRODUCTION

Учебное пособие предназначается для студентов-юристов, обучающихся по программе дополнительной квалификации «Переводчик в сфере профессиональной коммуникации». Книга содержит дополнительные материалы по тематическим блокам учебного пособия “Legal English: Advanced Level: Английский язык для юристов” в трёх частях (автор: Е.Б. Попов): юридическая профессия, право и его источники, конституционное и административное право, международное право, право Евросоюза, экологическое законодательство, гражданское право и процесс, право собственности и имущественное планирование, семейное право, формы предпринимательства, трудовое право, агентские взаимоотношения, денежные отношения, страхование и налогообложение, договорное право, продажа товаров, деликтное право, уголовное право и процесс, обеспечение национальной безопасности, по-

лиция, судоустройство, арбитраж и урегулирование споров.

Образовательные тексты, представленные в учебном пособии, призваны помочь студентам не только овладеть ключевыми понятиями и категориями, сложившимися в англоязычной правовой культуре, но и усовершенствовать навыки обработки профессионально значимой информации на английском языке, представленной в таблицах, схемах и рисунках.

Наглядные материалы подобраны из различных англоязычных печатных и электронных источников с целью создания у студентов-юристов, углублённо изучающих иностранный язык, целостной и более полной картины правовой действительности в странах изучаемого языка. Основные источники информации, использованные при создании данного учебного пособия, указаны в виде ссылок на стр. 176.

Legal Profession in England and Wales¹

1. Solicitors

- Often are described as the 'general practitioners' of law, but solicitors in larger practices often specialise
- Rights of audience normally only in County Court and Magistrates' Court; but solicitors can apply for full advocacy rights if they have taken the appropriate training and qualifications
- Training involves a degree in English law (or degree in another subject plus Common Professional Exam or Graduate Diploma in Law), followed by a Legal Practice Course (LPC) and two years as a trainee (Training Contract)
- Supervised by the Solicitors' Regulation Authority, solicitors normally work together in partnerships, while complaints relating to maladministration in the legal profession can be made to The Legal Services Ombudsman

2. Barristers

- Often thought of as the 'specialists'; the academic stage of training is normally the same as for solicitors, but barristers complete a Bar Professional Training Course (BPTC), followed by a year's pupillage
- Barristers join one of the Inns of Court, which are responsible for 'calling' members to the Bar
- Supervised by the General Council of the Bar, barristers have rights of audience in all courts
- Senior barristers of merit may 'take silk', becoming Queen's Counsel (QCs)
- Barristers are normally, but not always, self-employed but share offices known as 'Chambers'

3. Legal Executives

The Institute of Legal Executives (ILEX), which was developed from the Managing Clerks Association, represents Legal Executives, who carry out the more routine legal work. Qualified lawyers, such as practitioners will be specialists in a particular area of law and now have limited rights of audience in lower courts.

LEGAL PROFESSION IN ENGLAND AND WALES

4. Fusion of the Professions

The English Legal System (ELS) is one of only three systems in the world that maintain a divided legal profession. Despite criticism of the present system, the legal professions have argued that fusion would lead to a fall in the quality of advocacy. It has, however, been claimed that there has been 'fusion by the backdoor', as the Courts and Legal Services Act 1990 removed solicitors' monopolies over certain tasks such as conveyancing, as well as barristers' monopoly over advocacy in the senior courts.

right of audience – право выступать в суде

maladministration – плохое управление, недобросовестное ведение дел

Legal Services Ombudsman – инспектор по правам работников, оказывающих юридические услуги

pupillage – практическое профессиональное обучение, стажировка

of merit – заслуженный, достойный

'take silk' – становиться королевским адвокатом (королевские адвокаты носят шелковую мантию)

call to the Bar – принимать в коллегия адвокатов, предоставлять право адвокатской практики

chambers – контора адвоката

Legal Work in the USA: Attorney²

Duties and Characteristics of the Job

- Attorneys use their experience and extensive knowledge of the law and the legal system to defend the rights of their clients and protect their best interests either in a legal setting, during a trial, or by settling their grievances in or out of court.
- They also act as legal advisors and engage in such activities as drawing up and/or interpreting a legal document or contract, and they advise clients of changes in existing laws.
- Attorneys will often choose a field of specialization such as tax law or intellectual property and typically work in firms or start their own practice.
- Some work for the federal, state, or local government; others take advantage of increasing opportunities for employment within businesses.
- Attorneys work long hours; especially if a case goes to trial, a work week of more than 60 hours is not uncommon.

Job Outlook

- A good academic record from a prestigious law school, as well as work experience, mobility, and additional education in a field of specialty, are especially helpful.
- Jobs will be most plentiful in urban areas, where there tend to be more law firms, big businesses, and government offices.

Salary

- Attorneys have a median annual salary of about \$95,000.
- An attorney's salary will depend on type of employer, experience, region, and type of law being practiced. Extremely successful sole practitioners can win millions in tort actions.

Opportunities

- Competition for jobs with prestigious firms is fierce because there are more graduating lawyers than there are job positions.
- Making the law review, publishing law review articles while in school, and obtaining prestigious internships can be helpful in securing desirable jobs.
- Many lawyers use their education and experience as a means of launching careers in business, politics, government, or academia.

Qualifications

- A bachelor's degree in a program that develops strong analytical and writing skills is recommended for preparation for law school.
- Graduating from an accredited law school and passing the state bar exam are required.

Education and Training

- Attorneys must stay informed of the latest developments in law and often attend conferences; many states have continuing legal education (CLE) requirements that must be met.
- For certain positions, such as law school professor and positions focusing on a specialty such as patent law, further experience and education will be needed.

attorney – адвокат, attorney, юрист, уполномоченный, доверенный (поверенный в делах)

internship – стажировка, учебная практика

Legal Work in the USA: Prosecutor³

Duties and Characteristics of the Job

- Prosecutors represent the public in criminal trials and are responsible for proving in court that the accused is guilty of the charges brought against him or her.
- Prosecutors work at the municipal, state, and federal levels of government. During a trial, a prosecutor is opposed by a defense attorney, who represents the interests of the accused offender.
- To convince the judge or jury of the defendant's guilt, the prosecutor questions witnesses and gives statements, using evidence collected during the investigative phase of the case.
- Prosecutors also decide which cases to bring to trial and have the authority to settle cases out of court. Even though they represent the people, prosecutors often meet with victims of crime and present the case from their point of view when in court.
- Victims of crime and their families, community members, and law enforcement depend on the prosecutor to prove the guilt of an alleged offender to a jury or judge and achieve a conviction.

Job Outlook

- Crime rates and budgets dictate the number of job openings. In light of recent budget crises, prosecutors offices have scaled back on hiring.
- Opportunities should open up on a regular basis, because the position has a high turnover rate.

Salary

- Entering prosecutors earn an average of \$42,500. Senior prosecutors often earn in excess of \$100,000 per year.
- Prosecutors working at federal and state offices tend to earn more than those working at county and municipal levels. In larger cities, pay will be higher.

Opportunities

- There are opportunities for advancement in larger offices, especially in urban areas. A state prosecutor may also wish to seek a position as a federal prosecutor.
- After leaving their position, former prosecutors might open up their own private practice, possibly with the intent of running a lucrative defense attorney business.
- Prosecutors can also seek appointments to prestigious and well-paying judge positions or choose to leave the practice of law for a political career.

Qualifications

- Like other lawyers, prosecutors need to be comfortable and practiced at public speaking, and they also need well-developed analytical skills.
- There is something of a political aspect to gaining this position, because in some areas one must be elected or appointed to it.

Education and Training

- A bachelor's degree with an emphasis on writing, analytical, and research skills is necessary.
- Graduating from an accredited law school and passing the state bar exam are required.

convince – убеждать, удостоверить

settle out of court – урегулировать спор без судебного разбирательства

alleged offender – предполагаемый преступник, обвиняемый

scale back – уменьшаться, снижаться

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Advanced Level.
Visual Reference Materials**

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