

# UNIT 4

- Legal Professions
- A Carrier in Law
- Solicitor/Barristers/Judges
- Recruitment
- Adjectives and Adverbs
- Essay Writing - Introduction



## LEGAL PROFESSIONS

### KEY VOCABULARY

Every legal system needs professionals to provide **legal services**. These systems are organized in many different ways. In England this work is carried out by two groups of professionals – **solicitors** and **barristers**. Solicitors are **general practitioners of the law**. They conduct **legal negotiations** for their clients, prepare cases for **trial** and **draw up will** and other formal documents with **legal effect**. Solicitors may appear in **lower courts**. Barristers are **specialists** who **plead cases** in **superior courts** and in most trials in **criminal cases of indictment**. All barristers wear traditional **wigs** and **gowns** in court.

**Judges** are **appointed** by or on behalf of Her Majesty the Queen from experienced barristers. They are not subject to **ministerial direction** or **control** and they are to maintain **independence** and an **impartial** approach to cases. Judges must retire at the age of 70. A judge of the **Supreme Court** can be **revoked** in very special circumstances for **misconduct** and on a **petition** from the both **Houses of Parliament**.

One of the unusual features of the English legal system is the use of **lay** – not legally qualified – **magistrates**. The majority of criminal cases – 95% - in England are heard in the **magistrates courts**. The system is long established and popular.

### DISCUSSION

*Discuss the following questions in the class:*

1. Is legal system in your country similar to the English legal system?
2. How many types of legal professions can you remember exist in your country?
3. How are judges appointed in your country?
4. What type of legal professional would you like to become? Why?

## A CAREER IN THE LAW

### Listening 6

Several different words can be used to refer to a lawyer. Listen to three law students in the UK talking about the kind of work they would like to do when they have completed their law studies. Write the correct word for lawyer in the gaps.

Anna: So, what are you two planning to do later, when you've completed your degree?

Daniel: Well, right now, I'm planning to become a \_\_\_\_\_, because I'd really like to plead cases in court.

Anna: You've been watching too many of those American films, when the handsome young \_\_\_\_\_ wins the case against the big, bad corporation!

Daniel: Very funny, I just like the idea of arguing a case. I think it'd be exciting. What about you?

Anna: Actually, I'd like to work for a big corporation and advise them on their legal affairs, as \_\_\_\_\_. I've heard the work can be very challenging. What are your plans, Jacob?

Jacob: I'm thinking about becoming a \_\_\_\_\_. I'm not that interested in pleading cases in court. I'd rather do research and give legal advice – I think that'd suit me better.

#### Discussion

1. Does your native language have more than one word for lawyer? Do they correspond to the different English words for lawyer mentioned above? If not, how do the concepts differ?
2. What is each type of legal practitioner in your jurisdiction entitled to do?
3. What English term do you use to describe your job or the job you would like to do?

#### Vocabulary

I Combine the nouns in the box with the verbs below to make combinations to describe the work lawyers do. Some of the verbs go with more than one noun.

Cases	clients	contracts	corporations	decisions
Disputes	defendants	Law	Legislation	

1. advise
2. draft
3. litigate
4. practice
5. represent
6. research

**II Choose three verb + noun pairs from above and write sentences using them.**

**III Choose the words from the box which can be combined with the word lawyer to describe different types of lawyer. Say what each one does.**

Bar	corporate	defence	government	Patent
practitioner	Public-sector	sole	Tax	trial

## **LISTENING 7**

**Listen to five lawyers talking about their firms, practice areas and clients. Tick the information you hear about each speaker.**

### **Speaker 1**

1. has a few years working experience
2. works as a clerk at a mid-size commercial law firm
3. will get to know other departments of the firm
4. meets with clients regularly
5. plans to specialize in commercial litigation

### **Speaker 2**

1. is a sole practitioner
2. works in the area of employment law
3. deals with wage disputes
4. represents clients in mediation
5. has many clients who are small businesses

### **Speaker 3**

1. works in the area of secured transactions
2. carries out trade-mark registrations
3. assists clients who are in artistic professions
4. serves as an expert witness in court
5. is a partner in a large IP firm

### **Speaker 4**

1. is a senior partner in a mid-size law firm
2. specializes in competition law
3. represents clients before the employment tribunal
4. deals with infringements of the Competition Act
5. has clients in the telecommunications sector

### **Speaker 5**

1. owns shares in his firm
2. argues cases in court.
3. works in the area of real property law
4. represents landlords but not tenants
5. teaches courses on litigation at the law university.

### **Discussion**

1. What kind of firm would you like to work in?
2. Which areas of the law would you like to specialise in?

# READING AND SPEAKING

## GROUP WORK

**Divide into four groups. Read the text your teacher gives you and do the exercises that follow.**

### GROUP A

## SOLICITORS

### Legal practitioners

Lawyers in the United Kingdom jurisdictions generally practice as solicitors in private firms, as legal advisers in corporations, government departments, and advice agencies, or as barristers. They can each do advocacy, draft legal documents and give written advice, but solicitors, unlike barristers, cannot appear in every court.

Traditionally, solicitors undertake work such as conveyancing, and drawing up contracts and wills. Barristers spend more time in court and have a right of audience in the higher courts. Unlike solicitors, barristers cannot usually be employed directly by clients but are instructed by solicitors. Solicitors normally form partnerships with other solicitors and work in offices with support staff. The qualification and practice of solicitors are regulated by the Law Society.

### Training

Sami, a 25 year-old graduate, is talking about his experience as a trainee:

“My first degree was in engineering at Manchester University. Then I did two one-year law courses. The first led to the Common Professional Examination, or CPE; the second was the Legal Practice Course. I had a vacation placement at Applewood Branston, who offered me a two-year traineeship. They have a six seat system, which is quite common. Trainees spend time attached to different law departments, which suits me as I get a basic grounding in the main departments of the firm, helping me find which area of the law I’d like to specialize in. I can work in four or more different areas of law for four months at a time and then decide on a specialism later in the training contract. In my third seat, in Corporate Finance, I’ve learnt a lot from being on secondment with a client and got excellent back up from my seat supervisor, that is, supervising partner. It was good to put the professional skills training into practice straight away.”

### A partner in a law firm

Helene, from Monaco, is an *avocat* admitted to the Paris Bar – the professional association for lawyers. She graduated with a Bachelor of Law (LLB) in Paris and obtained a Master’s Degree (LLM) in European Law from University College, London. She is a graduate of the Paris Institut d’Etudes Politiques.

“I joined Applewood Branston two years ago and was promoted to partner in the corporate and banking team in Paris. Before that I worked for twelve years for other leading international law firms. I’ve got extensive experience of privatizations, mergers and acquisitions, and I advise investment banks and corporates.”

**I A potential Montenegrin client is talking to an English solicitor. Complete the solicitor’s statements (1-3). Look at the first paragraph of the above text to help you. There is more than one possibility for one of the answers.**

1. Client: I am looking for a lawyer to help me buy some land for a business.  
Solicitor: My firm undertakes a lot of \_\_\_\_\_. We could advise you and help to \_\_\_\_\_ contracts.
2. Client: We’ve had some trouble i the past with getting large invoices paid.  
Solicitor: We can do \_\_\_\_\_. If your case goes to court, we have \_\_\_\_\_ and I can \_\_\_\_\_ in the lower courts.
3. Client: Can you appear in the Appeal Court?  
Solicitor: No, I’m a \_\_\_\_\_ but my firm would instruct a \_\_\_\_\_ if a case were to go to the Appeal Court.

**II Complete the table with words from the text above and related forms. The first one has been done for you.**

Verb	Noun	Noun – person
partner	Partnership	partner
		trainee
advise		
	Practice	
Specialize		

**III Ana Garcia is talking about her career. Complete what she says with words from the table above and the text you read. There is more than one possibility for one of the answers.**

I am an *abogada*, a lawyer in Spain. I obtained my law \_\_\_\_\_ in Barcelona. In the summers, as a student, I did a vacation \_\_\_\_\_ in my uncle’s law \_\_\_\_\_. I \_\_\_\_\_ from university six years ago. Because my English and French are good I got a \_\_\_\_\_ to the New York office of my firm. While I was there I was \_\_\_\_\_ by the mergers and acquisitions team. I’ve always enjoyed working with large companies so now I want to \_\_\_\_\_ in \_\_\_\_\_.

**IV Make a presentation for the rest of the class based on the text you read.**

**GROUP B****BARRISTERS**

Sylvia Garrison, a practicing barrister, is describing the training and organization of the profession.

“There are currently around 9,000 barristers in practice in England and Wales. Unlike solicitors, barristers can’t form partnerships but must act as sole traders with unlimited liability. Some barristers are in employed practice and may only represent their employer, for example as in-house counsel or in government departments like the Crown Prosecution Service. Many work independently in self-employed practice in groups called chambers or sets and practice at the Bar as a barrister. Chambers are traditionally located in the four Inns of Court in London – Gray’s Inn, Lincoln’s Inn, Middle Temple and Inner Temple – and are also located in the UK regions, known as circuits. The Inns are principally non-academic societies, which provide collegiate and educational resources for barristers and trainees. Members of chambers, known as tenants, share common expenses and support services, which are administered by an administrative manager known as the Clerk, along with ancillary staff such as secretaries.

A barrister’s main work is to provide representation in the courts, where they are referred to as counsel, to draft documents associated with court procedure, and to give opinions, that is, specialist legal advice. They are normally instructed by solicitors or other recognized professionals, such as patent agents or Legal Advice Centres, on behalf of lay clients. As the law has become more complex, barristers increasingly specialize in particular areas, such as personal injury, crime, family or commercial law. A number of Specialist Bar Associations, also known as SBAs, support and represent members. Barristers are governed by the General Council of the Bar, known as the Bar Council, and the Inns of Court.”

**Training and qualifications of practicing barristers**

“Intending barristers need a qualifying law degree, for example a Bachelor of Laws, also known as LLB. However, many students graduate in a non-law subject and undertake a one year conversion course known as a postgraduate Diploma in Law, or GDL. The student barrister then applies to join one of the Inns of Court to study for the Bar Vocational Course, or BVC. It’s also mandatory for students to keep terms, which means dining at their Inn a fixed number of times, before they can be called to the Bar, that is, qualify as a barrister. Then the new barrister faces intense competition to obtain a funded pupillage in chambers for twelve months in order to get practical training. All applicants are advised first to do a mini- pupillage of one or two weeks to get some insight into what being a pupil is like. Pupillage, known as devilling in Scotland, is divided into two parts – a non-practising six months when pupils shadow their pupil master, an experienced barrister, by observing professional activities, and the second, practicing six months when pupils, with their supervisor’s permission, can undertake to supply legal services and exercise rights of audience, in other words, speak in court. To gain a Full Qualification Certificate pupils must learn the rules of conduct and etiquette at the Bar, learn to prepare and present a case competently, learn to draft pleadings and opinions, have advocacy training, and pass a forensic accountancy course which covers the use of financial information in litigation. If successful at the end of the twelve months, the qualified barrister applies for tenancy in chambers. When a junior barrister has practiced at the Bar for 10 to 15 years, it’s possible to apply to be, or Queen’s Counsel (QC), whose work concentrates on court appearances, advocacy and opinions.”

**I. Match the two parts of the definitions. Look at the text above to help you.**

1. Someone who works for his or herself is		a. provide representation
2. If you speak on behalf of clients in your court, you		b. lay clients.
3. Non-professional clients are known as		c. self-employed/ a sole trader.
4. Barristers working solely for a company are called		d. instructed.
5. The governing authorities of barristers are		e. in-house counsel.
6. When a solicitor gives a barrister the details of a case, the barrister is		f. practice at the Bar.
7. When you work as a barrister you		g. the Bar Council and the Inns of Court.

**II. Complete the extracts from a trainee barrister describing her professional life. Look at text above to help you. There is more than one possibility for two of the answers.**

I took a first degree in Modern History, then did the \_\_\_\_\_ in law at City University, which was much harder. I then did the \_\_\_\_\_ at the Inns of Court School. Most days I'd expect to be present in \_\_\_\_\_ from about 8.45 am to 7.00 pm, working almost throughout in my \_\_\_\_\_'s room. During that time I \_\_\_\_\_ his professional life completely.

I generally look at papers when they first come in. I'm expected to be able to suggest how the case might be approached. In a week I might draft a \_\_\_\_\_, prepare notes for a conference with clients, comment on draft witness statements, and research legal points.

Although all \_\_\_\_\_ are for twelve months, if they think you have no prospects of finding a \_\_\_\_\_ in chambers, after six months you would be told discreetly. Chambers runs \_\_\_\_\_ training evenings to reduce the loss of opportunities to \_\_\_\_\_ in court. When I've practiced for more than ten years, I'd be interested in being appointed as a \_\_\_\_\_, with a specialist area such as employment law.

**IV Make a presentation for the rest of the class based on the text you read.**

**GROUP C****WORKING LIVES****A company commercial lawyer**

Sophie Brettle is talking about her work at Melton Deans.

“I’m a partner in a medium-sized regional law firm, working within the Company Commercial Department. I head up a team of eight, comprising six lawyers and two paralegals – legal researchers – undertaking projects work for Public Sector clients. Our main client is a Government Department. We’re instructed by them to advise and act on Private Finance Initiative Propjects, also known as PFI. This involves negotiating with a number of other parties comprising the funders, the building contractors, and facilities management and ensuring that the client’s aims and objectives are met and their best interest protected.

A significant proportion of my time is spent in all parties meetings. As these transactions are complex, and the meetings are attended by all sides and their legal advisers, I have to make sure comprehensive notes are taken by an assistant solicitor. Following a meeting, documents reflecting the terms agreed are prepared and circulated for approval.

Within the practice, I’m a member of the Executive Committee and have responsibility for aspects of financial management within the department. I also deal with recruitment, training, and development within the department. During a working day as a fee earner, I have to combine my chargeable work for clients with administrative duties.”

**A legal secretary**

An assistant solicitor is instructing Marie Lapotaire, the Commercial Department’s legal secretary:

Solicitor: I’ve just sent you some sound files with the minutes on from yesterday’s meeting. Is there any way you can type those up before anything else? I know you’ve got a substantial amount of work at the moment.

Marie: No problem. Do you want me to circulate them by email as soon as I’ve finished, get a hard copy and put it on the file?

Solicitor: Please. I am going to be running between meeting for a large part of the day but if I get a minute, I’ll have a quick look at the hard copy and mark it up with any changes. Don’t wait for me to do that before getting the draft out – there are action points that the paralegals need to be getting on with.

Marie: Fine, I’ll copy everyone in. Anything else? I’ve put all the documentation for Project Angel on your desk. I don’t know if it’s ready to go out yet?

Solicitor: I saw that, thanks. No, I need to make sure that the client is happy with the latest clauses the funder wants. Also, I think they may have negotiated more concessions so I’ll have to get back to you on those.

Marie: OK. By the way, I think you out of office message is still on, although the date’s wrong. Don’t worry, I’ll change it. Your calls are still coming through to my phone so I’ll carry on taking messages.

**I Make word combinations from the text A Company Commercial Lawyer using words from the box. Then use appropriate word combinations to complete Sophie Brettle's sentences below.**

fee chargeable	terms notes	interests meeting	work earner	comprehensive agreed	best all parties
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1. I don't think we can accept that clause. It's not in the \_\_\_\_\_ of the client.
2. Marie, can you go ahead and set up the next \_\_\_\_\_? We need everyone to be there.
3. Will you check the \_\_\_\_\_ match the notes taken from the meeting with the contractors and client?
4. We can't spend any more time on this. It's not \_\_\_\_\_.

**II Marie Lapotaire is talking about her working day. Replace the underlined words and phrases with alternative words and phrases from the text A Legal Secretary. Pay attention to grammatical context. There is more than one possibility for one of the answers.**

In addition to typing up recorded notes from meetings, sending copy to everyone by email, and printing off emails, most days I'll be given various other tasks to carry out, such as document generation. If the solicitor indicates changes on a draft text, I'll word process them. I sometimes have to get addresses and contact details from the Internet and make appointments for meetings or conference calls. Obviously, I also take incoming calls when the fee earners aren't available and I let the caller know the solicitor will call them back. I'll also continue with any other tasks she's given me. Once a month I attend the secretarial committee as the representative for my department.

**III Make a presentation for the rest of the class based on the text you read.**

**GROUP D****JUDGES**

Judicial appointments in England and Wales

Judicial Office	Court	Number
Lords of Appeal in Ordinary (also known as Law Lords)	House of Lords	12
Lord Justices of Appeal	Court of Appeal	37
High Court Judges	High Court of Justice	107
Circuit Judges	Crown Court and County Court	638
Recorders	Crown Court and County Court	1359
District Judges (Civil)	County Court	422
Deputy District Judges (Civil)	County Court	751
District Judges (also known as Stipendiary Magistrates)	Magistrates' Court	139
Deputy District Judges	Magistrates' Court	148

Note: Recorders generally hear less complex or serious cases than Circuit Judges and start by sitting in the Crown Court. After two years they might sit in the County Court.

Number of judges listed in above table correct as of 27/11/06.

An act of Parliament lays down the mandatory requirements for most judicial offices. Candidates must have practiced as a lawyer or judge for a specified time and must meet other statutory requirements for specific posts. The hierarchical structure of the courts informs the process of selection of the Judiciary. Experience gained as a judge in a lower court is one of the qualifications for appointment to a higher court. Senior appointments to the Court of Appeal and the High Court are made by the Queen following the recommendation of the Prime Minister, currently on the advice of the Lord Chancellor – a senior member of the government and head of the judicial system.

**The training of judges**

The Judicial Studies Board (JSB) is responsible for the training of judges, lay magistrates and members of Tribunals in England and Wales. The JSB would normally organize the following for an appointee Recorder in the Crown Court: an induction course; visit to penal establishments, for example prison and young offender institutions; meetings with personnel from the Probation Service, which deals with criminals, often young offenders, who are not sent to prison unless they reoffend, but who are under supervision of a probation officer.

The appointee would experience a period of sitting in on the Bench – judge's area of the Court – with a Circuit Judge. In his first week after appointment he would be supervised by a Circuit Judge. Practical guidelines for judges are set out in Bench Books.

**Civil courts: sentencing and court orders**

Judges in civil courts can fine, commit to imprisonment (normally between 28 days and six months) or to give a suspended sentence – where imprisonment does not take place unless the offender commits another offence. An applicant can seek an injunction – an order – against a respondent. The court may grant an interim injunction, that is, a

temporary one, to stop the defendant from doing something before the hearing of the application. The judge can grant or refuse an injunction against a legal person to do or not do specified acts. The judge can, alternatively, require an undertaking, or promise, from the relevant party at the hearing proceedings.

**I Match the judicial offices in the box with the required qualifications below (1-4)/ Bear in mind the hierarchical structure of the courts. Look at the text above to help you.**

Lord of Appeal in Ordinary	Lord Justice of Appeal
Circuit Judge	District Judge (Magistrates' Court)

1. must have been qualified as a lawyer for at least seven years
2. must have been qualified for ten years, although three years' service as a full-time District Judge is allowed.
3. must have been qualified as a lawyer for at least 15 years and is usually drawn from judges in the Courts of Appeal in England, Wales, and Northern Ireland, and in the Court of Session in Scotland
4. the statutory qualification is at least ten years in the High Court as a lawyer and, in practice, to be a High Court Judge.

**II Complete the definitions. Look at the text above to help you.**

1. \_\_\_\_\_ - collective word for a group of judges and the name of the place where a judge sits in court.
2. \_\_\_\_\_ - formal collective word for all the judges in the legal system.
3. \_\_\_\_\_ - the specific post of a judge (for example, a High Court Judge).
4. \_\_\_\_\_ - place where people are held as a punishment when convicted of an offence.

**III Complete the sentences. Look at the text above to help you**

1. Judges may make a first sentence for a non-serious offence a \_\_\_\_\_ sentence.
2. The period of \_\_\_\_\_ awarded by the judge should reflect the number and seriousness of the offences and their context.
3. A person who seeks an injunction is generally described as the \_\_\_\_\_.
4. Instead of ordering a specific act, the court can seek the agreement of the relevant party to an \_\_\_\_\_ to do the specific act.
5. An applicant may seek an \_\_\_\_\_ to prevent a breach of contract.
6. If an applicant claims that the defendant is about to do something that infringes his/her rights before there can be a hearing (for example, to dispose of disputed property), the judge may grant an \_\_\_\_\_.

**IV Make a presentation for the rest of the class based on the text you read.**

# WORD FORMATION



## *People in Private Law*

The suffixes **-er** and **-or** are often added to nouns or verbs to form related nouns (called 'agent nouns') which refer to the person or thing that does an action.

*Examples:*

<i>Noun or verb</i>	<i>Agent noun</i>	<i>Meaning</i>
offer	offeror	person who offers
advertise	advertiser	person who advertises
property	proprietor	person who owns property

**Can you think of some more examples of agent nouns ending in -or or -er?**

- i) Check that you understand the list of topics in CAPITALS in the exercise below (e.g. CIVIL ACTION, LEGAL ADVICE, WILL etc.).**
- ii) Complete the phrases on the right by choosing the two people related to each topic from the list given below. Where possible, use word families to help you choose.**

Example:

**CIVIL ACTION** In a civil case, the party who takes the legal action against the *defendant* (for example for a tort, or breach of contract) is called the *claimant*.

*Answer:* h

1) **LEGAL ADVICE**

A \_\_\_\_\_ is a lawyer who gives legal advice to his or her \_\_\_\_\_ and may sometimes represent them in court.

2) **WILL**

The \_\_\_\_\_ is the person appointed to 'execute' the will, that is to give effect to the wishes expressed in the will by the \_\_\_\_\_ .

3) **TORT**

A \_\_\_\_\_ is a person who commits a civil wrong, called a tort, which causes injury to the \_\_\_\_\_.

4) **SALE**

The \_\_\_\_\_ sells an article or product to the buyer or \_\_\_\_\_ who buys or purchases it.

5) TRUST

A \_\_\_\_\_ is the legal owner of property which s/he holds in trust for the benefit of the \_\_\_\_\_. Under rules of Equity, the \_\_\_\_\_ must act in the interests of the \_\_\_\_\_ according to the terms of the trust.

6) CONTRACT

In English law a contract is formed when the \_\_\_\_\_ accepts the offer which the \_\_\_\_\_ has made.

7) EMPLOYMENT

A contract of employment creates a special legal relationship in which the two parties have certain rights and duties. For example, the \_\_\_\_\_ has the duty to make sure that the \_\_\_\_\_'s place of work is safe.

8) LEASE OF LAND

The \_\_\_\_\_ is the person who owns land which the \_\_\_\_\_ uses (e.g. as a dwelling or a place of work), and for which s/he pays a sum of money called rent.

**List of people:**

a) client b) injured party c) offeror d) executor e) trustee f) vendor

g) beneficiary h) claimant i) landlord j) employee k) solicitor l) defendant

m) testator o) purchaser p) employer q) tortfeasor r) tenant s) offeree.

**iii) You have seen that the suffixes -er and -or indicate the agent, or person who does the action. What does the suffix -ee indicate in nouns like employee and offeree?**

# VOCABULARY

## BARRISTERS AND SOLICITORS



Every legal system needs professionals to provide legal services. These systems are organized in many different ways. In England this work is carried by two groups of professionals – solicitors and barristers.

***I Below is a list of tasks carried out by solicitors and barristers. Classify them into the appropriate column.***

- |   |   |
|---|---|
| advising clients on general legal issues    | conveyance of houses                                |
| advising clients on specialist legal issues | dealing with commercial transactions                |
| advising on litigation                      | drafting of documents in connection with litigation |
| advising on tax matters                     | making wills  |
| advocacy in all courts                      | preparing cases                                     |
| advocacy in lower courts                    | share and other property dealings                   |
| commercial work                             |   |

solicitors	barristers

***II Read the text about solicitors in England and fill in the gaps with the words offered below***

- |             |                |
|-------------|----------------|
| employed    | private        |
| career      | matters        |
| partnership | court          |
| advice      | challenge      |
| clients     | representation |
| commercial  | solicitors     |

A solicitor's role is to give specialist legal \_\_\_\_\_ and help. As society becomes more complicated the need for the services of the solicitor rises, and the profession's influence expands. Solicitors are the main advisers on all \_\_\_\_\_ of law to the public. A \_\_\_\_\_ as a solicitor offers the chance to combine intellectual \_\_\_\_\_, interest and variety with the opportunity to work with and for people.

There are over 60,000 \_\_\_\_\_ practising in England and Wales and their work varies enormously. A solicitor's job is to provide \_\_\_\_\_ (members of the public, businesses, voluntary bodies, charities etc.) with skilled legal advice and \_\_\_\_\_, including representing them in \_\_\_\_\_. Most solicitors work in \_\_\_\_\_ practice, which is a \_\_\_\_\_ of solicitors who offer services to clients. Others work as \_\_\_\_\_ solicitors for central and Local Government, the Crown Prosecution Service, the Magistrates' Courts Service, a \_\_\_\_\_ or industrial organisation or other bodies. If you become a solicitor, you can choose the kind of environment which suits you best.

**III Fill in the gaps with the words offered below:**

mock	bench	qualifications
Inns	barrister	facilities
scholarships	senior	qualified
disciplinary	audience	solicitors
code	libraries	chambers
quarter		

**THE INNS OF COURT** are institutions which for centuries have had a special place in the English legal structure. There are four \_\_\_\_\_ of Court: Grays Inn, Lincoln's Inn, the Inner Temple and the Middle Temple. In order to become a \_\_\_\_\_, which gives you a right of \_\_\_\_\_ before the courts you have to be admitted to one of the Inns and satisfy the educational and other \_\_\_\_\_ which are required of those who wish to become barristers. In cooperation with each other the Inns provide a system of legal education through the Inns of Court School of Law. The Inns also approve various \_\_\_\_\_ and grants to make it easier for persons of ability to become \_\_\_\_\_ as lawyers. Lawyers are required to conform to a strict \_\_\_\_\_ of professional conduct and the Inns have \_\_\_\_\_ powers over barristers. The Inns also own extensive property in the legal \_\_\_\_\_ of London which is used to provide offices for barristers (called \_\_\_\_\_). The Inns also provide dining and lunching \_\_\_\_\_ for their members, maintaining legal \_\_\_\_\_ and organize a wide range of social activities. The government of the Inns is in the hands of \_\_\_\_\_ lawyers called "Benchers", a name they originally acquired because they sat on a \_\_\_\_\_ as judges for the argument of \_\_\_\_\_ cases. Members of the other branch of the legal profession, the \_\_\_\_\_ are not members of the Inns of Court, and they have their own professional organization, the Law Society, which performs much the same function as the Inns.

# RECRUITMENT

## Job opportunities

### READING

Recent law-graduates and young lawyers with a few years' working experience often read job advertisements in the hope of finding interesting and well-paid career opportunities. What sources of job advertisements are you familiar with?

***I In the UK, job adverts aimed at the two groups mentioned above – recent law-school graduates and young lawyers – will typically include the abbreviations PQE and NQ. Read the headings of the job advertisements that follow. What do you think these abbreviations stand for?***

***II Quickly scan the two advertisements and decide for which job (A or B)***

1. you will have the opportunity to travel
2. you need no previous experience
3. you will have a chance to specialize in information technology law
4. you need to speak more than one language
5. you need to belong to a particular association.

***III Read the advertisements again and answer these questions***

1. Compare the description of the law firm in the second advert with that in the first.
2. How do the two firms differ? In what way are they similar?
3. Which of the two job adverts looks more interesting to you?

A

**Vacancy Type: Private practice lawyer**                      **Location: based in London**  
**Practice Areas: Banking/Finance, Insolvency**      **PQE: 2-4 years**

Our firm was formed in 2005, following the merger of Johnson and Hall in the UK, Europe and Asia, and Paoletti, Heider and Robinson in the US. The merged firm comprises over 3,000 people in 29 offices and 17 countries around the world. Our vision is to be one of the top full-service international law firms, while upholding strong core values, which include investing in our employees, our clients and the community.

As an associate in the Restructuring and Insolvency team, you will act for insolvency practitioners, creditors, debtors, investors and regulators on corporate restructurings, rescues, formal insolvency procedures and investigations. You will gain international experience which may include cross-border co-operation activities. As our clients' business becomes increasingly global, you will be working to find creative commercial solutions to reconcile the often differing requirements of several domestic law regimes.

Your general role as an associate will comprise three main components:

- Pure legal work
- Managing the client relationship
- Raising your personal profile within the practice by participating in client events and contributing to training sessions and the production of know-how

**Professional requirements/qualifications**

- Keen interest and relevant experience in restructuring and insolvency work
- Current membership in a recognised Insolvency Practitioners Association
- Strong analytical skills
- Fluency in spoken and written English and preferably another European language
- Willingness to travel
- Excellent interpersonal and communication skills
- Ability to work effectively in a multi-ethnic and multicultural environment

Applicants may send their application to [i.hall@halljohnson.com](mailto:i.hall@halljohnson.com)

B

**Vacancy Type: Private practice lawyer**                      **Location: south-west UK**  
**Practice Areas: Company/Commercial,**                      **PQE: NQ-1 year**  
**Insolvency**

We are offering an exciting opportunity for a NQ Company Commercial Solicitor to join an established team. Our clients include small and medium-size enterprises, as well as large firms, among them international corporations based in the UK.

The position will involve general company and commercial work, including some insolvency. You will be working with the head of the department and supporting the team as a whole on transactional work. You will also have the opportunity for some specialisation within the areas of IT and e-commerce, and this will involve working closely with a salaried partner. This is a great opportunity for someone wishing to join a market-leading, forward-thinking firm.

Applicants may send their application to [harold.jackson@jacksonreeves.com](mailto:harold.jackson@jacksonreeves.com)

# WRITING

## ***A covering letter<sup>1</sup>***

A covering letter is an important part of a job application. Submitted along with a CV<sup>2</sup>, the covering letter serves as an applicant's introduction to a potential employer. As such, it is a valuable opportunity for you to communicate a few key facts about yourself and your suitability for the position in question. It also gives you a chance to demonstrate your ability to write a clear and well-structured business document in English. Thus it is necessary to proofread your covering letter carefully and to make sure it does not contain errors of any kind.

Like most professional correspondence, a covering letter ideally has a three-part structure consisting of:

1. an introductory paragraph stating the purpose of the letter;
2. a main part (one or more paragraphs) with the most important information;
3. a concluding paragraph bringing the letter to a close and a final sentence inviting further contact.

***I Read the covering letter on the next page and then match these functions (a-f) with the sentence or sentences in the letter (1-10) which express them. Each function can be used more than once.***

- a) referring to any relevant work experience you have in the field
- b) identifying your current status
- c) referring to future contact
- d) Explaining how you found out about the position
- e) Demonstrating an interest in the firm to which you are applying
- f) Highlighting particular skills, qualifications or accomplishments

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<sup>1</sup> US cover letter

<sup>2</sup> US resume

Dear Mr. Jackson

1) I would like to apply for the post of a Company Commercial Solicitor in your firm as advertised on the website [www.legalpositions.com](http://www.legalpositions.com). 2) As a recent law-school graduate, I was particularly happy to see that the position you are offering is open to newly qualified lawyers.

3) You will see from my enclosed CV that I completed my law studies in Rome with honours, and spent one year studying law in Edinburgh. 4) I am especially interested in the position you are offering, since I have relevant work experience in the field of insolvency. 5) I spent three summers working as a clerk in mid-sized commercial law firm in Manchester. 6) While assisting with the insolvency work carried out there, I developed a keen interest in becoming an insolvency practitioner. 7) In addition, I am a student member of the Insolvency Practitioners Association in the UK, and two articles I wrote in English were published in their newsletter. 8) I may also add that I achieved a high score on the International Legal English Certificate Examination.

9) I would welcome the opportunity to work as part of your successful team, to benefit from your extensive experience, and to put my training, experience and enthusiasm into practice for your firm.

10) I look forward to hearing from you.

Sincerely  
Fabio Scataloni

**II Write an application letter of your own in response to one of the job advertisements you read earlier or to one you have found. You should:**

- structure your letter in three parts
- include the functions listed in Exercise I above
- write your letter in an appropriate style
- proofread the text carefully

# WRITING

## A Lawyer's curriculum vitae

*I Read the CV bellow and discuss its composition. Write your own CV.*

### Linus Walker

**Address:** Frejg 17, SE-118 25, Stockholm, Sweden

**Nationality:** British

**Email address:** linuswalker@eli.se

**Date of birth:** 12 May 1982

### EDUCATION

- 2005 – present **University of Stockholm, Sweden**  
*Master's Programme in Law and Information Technology*  
 Course covers the legal aspects of Information Technology and the legal implications of the use of the Internet
- 2000–2004 **University of Essex, Colchester, United Kingdom**  
*LLB (English & French law degree)*  
 Course included all the core legal subjects, with a focus on contract law, company law, common law, property law and European law
- 2002–2003 **Université Paris X, Paris, France**  
*DEUG (French law degree), Nanterre*  
 Part of the degree programme at University of Essex included an intensive course in French. Among subjects studied: European Community Law, Information Law, Civil Law and Penal Law

### LEGAL WORK EXPERIENCE

- June 2004–  
 February 2005 **European Commission, Brussels, Belgium**  
 Legal Assistant within the Legal Department of the Service Commune Relex (SCR). Drafting opinions in English and French dealing with contracts awarded for projects
- Summers  
 2001–2004 G. R. Foster & Co. Solicitors, Cambridge, UK  
 Liaison with clients; conducting research into multiple legal areas, including family law, tort law and contracts; assisting with trial preparation
- Summer 2000 Westlake Chambers, Bath, UK  
 Mini-pupillage, involving shadowing a number of counsel; assisted in daily activities

### SKILLS AND QUALIFICATIONS

- Languages:** Native English speaker; fluent in French (written and spoken); upper-intermediate Swedish
- Computing:** Proficient in Word, Windows, email
- Membership:** The Law Society
- Strong researching and writing skills

### INTERESTS

- Skiing, French history, chess  
 References available upon request

CV or resume

# LISTENING 8

## A JOB INTERVIEW

The job interview gives an employer an opportunity to form an impression of you as a person and to decide whether you would be suited to join the firm. An interviewer will typically pose questions which invite a wide range of possible responses and lead to discussion.

***I Read these questions, typically posed in an interview for a legal position. Which do you think would be most difficult for you to answer?***

1. What can you tell me about yourself?
2. What are your greatest strengths/weaknesses?
3. Why did you decide to study law?
4. What was the most valuable experience you had in law school?
5. What qualities do you think a good lawyer needs to have?
6. Which accomplishment are you most proud of?
7. What do you know about this firm?
8. Why do you want to work for this firm?
9. Why should we hire you?
10. How would you describe your ideal job/boss/law firm?
11. What can you tell me about your work experience?

***II You will hear a candidate Mr. Berger, being interviewed for one of the positions described in the job adverts you read earlier. Listen to the interview. Which position has he applied for?***

***III Listen again and tick the questions in exercise I the interviewer asks.***

***IV Answer these questions.***

1. Why does Mr. Barger want to work for the firm?
2. Why is Mr. Berger already familiar with London?
3. What kind of work does Mr. Berger do in his present job?
4. What does Mr. Berger ask the interviewer about the firm?

# SPEAKING

***I Using one of the job advertisements you read in this material or one you have found in a newspaper or on the web, prepare to be interviewed for the job. Think about how your education, skills and work experience relate to what is required of the applicant. Your partner should play the role of the interviewer and should ask you some of the questions from the exercise I in the Listening exercise. When the interview is finished, discuss which of your answers were good and which need improvement. Then switch roles and interview your partner for the job he or she has found.***

# WRITING

## A thank-you note

Following a job interview, it is a good idea to send a short note thanking the person who interviewed you. The purpose of this note is to show your continued interest in the position and to reinforce a positive image of yourself. For this reason, it is common to emphasise one or two of your strong points once again, while referring specifically to something discussed in the course of the interviews.

***I Read the thank-you note below and then complete the spaces (1-5) using these phrases (a-e).***

- a. As I mentioned during our conversation
- b. I appreciated
- c. The interview convinced me that my background
- d. Thank you again
- e. I am confident that my ability to

*Dear Mr. Greene*

1) \_\_\_\_\_ for the opportunity to interview for the position of Senior Insolvency Practitioner to your firm 2) \_\_\_\_\_ your hospitality and enjoyed meeting you and members of your staff. I especially enjoyed hearing about your firm's plans for expansion.

3) \_\_\_\_\_, interests, and skills are compatible with the goals of your firm, 4) \_\_\_\_\_, the experience I gathered in my previous employment has prepared me well for corporate insolvency work, 5) \_\_\_\_\_ supervise a case from commencement of liquidation to closure will be of value to your firm.

*I look forward to hearing from you.*

*Yours sincerely  
Julia Fenton*

### ***II Answer the following questions***

1. Which sentence in the note refers to a topic discussed in the interview?
2. Which sentence serves to reinforce points mentioned by the applicant during the interview?
3. What is the purpose of the final sentence of the second paragraph of the note?
4. Which part of the thank-you note refers to future contact?

***III Write a thank-you note from Franz Berger to Ms. Hall as a follow up to the interview in the listening exercise. You should:***

- mention one or two topics discussed in the interview
- reinforce one or two points about the applicant's background which were discussed in the interview
- use the sentence beginnings found in the model text above
- refer to future contact.

## Grammar focus



## Adjectives and adverbs

## We use adverb, not an adjective

1. to say how something happened or was done:
  - a. I've always **greatly** enjoyed his novels. (not "great enjoyed")
  - b. The people who work in that shop always talk **politely** to customers. (not "polite")
2. to modify adjectives, including participle adjectives:
  - a. It was **strangely** quiet in the room
  - b. They had a **beautifully** furnished house.

## Some adverbs are formed from an adjective + -ly: happy □ happily etc.

- *When an adjective ends in -ly (cowardly, friendly, kindly, lively, lonely) we don't add -ly to it to make an adverb. Instead we can use a prepositional phrase with **fashion, manner, or way**:*
  - He smiled at me **in a friendly way**.
  - She waved her hands around **in a lively fashion**.
- *Most participle adjectives ending in -ed don't have an adverb form and we can use a similar prepositional phrase:*
  - They rose to greet me **in a subdued manner**.
  - She walked around the room **in an agitated way**.

*However, some do have an adverb form with -ly, including the following common ones: **allegedly, belatedly, contentedly, dejectedly, deservedly, excitedly, hurriedly, markedly, pointedly, repeatedly, reportedly, reputedly, supposedly, unexpectedly, wholeheartedly, wickedly.***

The weather had turned **unexpectedly** stormy.

***I Peter Thomas was recently sentenced to imprisonment for a bank robbery. Here are extracts from newspaper reports during and after the trial. Rewrite them using one of these adverbs to replace the underlined parts. Make other necessary changes.***

allegedly	deservedly	reputedly	unexpectedly
belatedly	repeatedly	undoubtedly	wholeheartedly

1. Thomas was said to have committed the robbery on the afternoon of the 21<sup>st</sup> June.
2. At first, Thomas's wife gave complete support to his claim that he was innocent
3. A police spokesman said, "We are sure that Peter Thomas knows something about this robbery."
4. It is generally believed that Thomas hid the money somewhere close to his home.
5. His wife realised only much later that Thomas had been lying to her.
6. He denied being involved in the robbery over and over again.
7. It came as surprise when Thomas confessed to the crime over a year later.
8. After the trial, Thomas's wife said, "It was right that Peter was given a severe sentence."

**Adverbs with two forms**

Some adverbs have two forms, one ending in **-ly** and the other not.

- We can sometimes use either of the two forms of the adverb without changing the meaning, although the form ending in **-ly** is more usual in a formal style (**cheap(ly), clean(ly), clear(ly), fine(ly), slow(ly), thin(ly)**):

I' be there as quick(ly) as I can.  
 Try to sing loud(ly) in the last verse.

- In other cases there is a difference in the meaning of the adverb with and without **-ly**:

She gave her time <b>free</b> (for no money)	She gave her time <b>freely</b> . (willingly)
I arrived <b>late</b> for the concert	I haven't seen John <b>lately</b> . (recently)
She worked really <b>hard</b> and passed her exams	The telephone line was so bad I could <b>hardly</b> hear what he was saying. (only just)
He kicked the ball <b>high</b> over the goal.	Everyone thinks <b>highly</b> of her teaching. (they praise her for it)
They cut <b>short</b> their holiday when John became ill. (went home earlier)	The speaker will be arriving <b>shortly</b> . (soon)
The door was <b>wide</b> open so I went straight in. (completely)	It won't be difficult to get the book. It's <b>widely</b> available (in many places)

**II Rewrite the following sentences using one of the adverbs discussed above.**

- I haven't cleaned the house recently.
- It wasn't easy to accept her decision.
- They won, but the result wasn't at all surprising.
- The leaflet is available at no charge from the town hall.
- I became a nurse soon after I left school.
- Even though it was 2 am, I was completely awake.
- Her name is known to many people.
- The report strongly criticized the Minister's conduct.

**III Find the mistakes and correct them. If there is no mistakes, put a ✓.**

- She speaks French fluent.
- I think you behaved very cowardlily.
- Everyone says that he's enormous rich.
- We'll never catch them up if you walk as slow as that.
- She turned to him astonishedly. "I don't believe you", she said.
- Wearing a white shirt and new suit, he thought he looked really well.
- He plays the guitar remarkable good for his age.
- Chop the herbs finely and sprinkle them on top of the pasta.
- He stepped back and looked satisfiedly at the newly-painted door.

# Writing

## Introduction



The introduction should be designed **to attract the reader's attention** and give her an idea of the essay's focus.

### 1. **Begin with an attention grabber.**

The attention grabber you use is up to you, but here are some ideas:

- **Startling information**

This information must be true and verifiable, and it doesn't need to be totally new to your readers. It could simply be a pertinent fact that explicitly illustrates the point you wish to make.

If you use a piece of startling information, follow it with a sentence or two of [elaboration](#).

- **Anecdote**

An *anecdote* is a story that illustrates a point.

Be sure your anecdote is short, to the point, and relevant to your topic. This can be a very effective opener for your essay, but use it carefully.

- **Dialogue**

An appropriate dialogue does not have to identify the speakers, but the reader must understand the point you are trying to convey. Use only two or three exchanges between speakers to make your point.

Follow dialogue with a sentence or two of [elaboration](#).

- **Summary Information**

A few sentences explaining your topic in general terms can lead the reader gently to your thesis. Each sentence should become gradually more specific, until you reach your thesis.

### 2. **If the attention grabber was only a sentence or two, add one or two more sentences that will lead the reader from your opening to your thesis statement.**

### 3. **Finish the paragraph with your thesis statement.**

#### **Exercise:**

***IV Work in pairs. Use the topics from the exercise I and thesis statements from the exercise II to write introductions for each of the topics.***