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## МИНОБРНАУКИ РОССИИ

Федеральное государственное бюджетное  
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«Юго-Западный государственный университет»  
(ЮЗГУ)

Кафедра иностранных языков



## АНГЛИЙСКИЙ ЯЗЫК В СФЕРЕ ЮРИСПРУДЕНЦИИ

Методические указания, материалы и задания на основе  
интерактивных образовательных технологий  
для самостоятельной и индивидуальной работы по английскому  
языку для студентов специальностей  
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Английский язык в сфере юриспруденции: методические указания на основе интерактивных образовательных технологий для самостоятельной и индивидуальной работы / Юго-Зап. гос. ун-т.; сост.: Л.Н. Казакова. – Курск, 2016. – 48 с. – Библиогр.: с. 48.

Методические указания содержат предусмотренные рабочей программой курса материалы и задания, основанные на интерактивных технологиях обучения *power point presentation, flash cards, case solving, essay writing, panel discussion*.

Цель методических указаний – помочь студентам в овладении необходимым и достаточным уровнем коммуникативной компетенции для решения социально-коммуникативных задач в различных областях деятельности, подготовить будущих специалистов к профессиональному общению на английском языке. Предназначены для студентов специальности «Юриспруденция» дневной формы обучения.

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## **Раздел 1.Тексты для чтения и перевода**

### **THE CONSTITUTION OF THE RUSSIAN FEDERATION**

*We, the multinational people of the Russian Federation, united by a common fate on our land, establishing human rights and freedoms, civic peace and accord, preserving the historically established state unity, proceeding from the universally recognized principles of equality and self-determination of peoples, revering the memory of ancestors who have conveyed to us the love for the Fatherland, belief in the good and justice, reviving the sovereign statehood of Russia and asserting the firmness of its democratic basic, striving to ensure the well-being and prosperity of Russia, proceeding from the responsibility for our Fatherland before the present and future generations, recognizing ourselves as part of the world community, adopt the CONSTITUTION OF THE RUSSIAN FEDERATION.*

Each country wants live in peace and keep order. The most important legal act that regulates all the laws inside the country is the Constitution. That's why we use and treat the Constitution as the main law.

We have written Constitution in comparison with the GB where it is unwritten. The Constitution of the Russian Federation was adopted by the residents of Russia on 12 December in 1993. It Entered into force 25 December 1993. The Constitution has the highest legal force, fixing the fundamentals of the constitutional system of Russia, education representative, Executive, judicial authorities and local government.

The current Russian Constitution consists of a Preamble and two sections. The Preamble declares that the people of Russia adopt this Constitution; entrenched democratic and humanistic values. The First section includes 9 chapters and consists of 137 articles. The second section serves as the basis for the stability of the constitutional legal norms.

The Constitution is the fundamental law of the state. It spelled out the basic principles, rules, and principles of statehood: the bodies, entities, rights and freedoms of our citizens. Every citizen should know and respect the Constitution of his native country. A lawyer has to protect the implementation of the laws presented by the Constitution. We are responsible and we are obliged to keep law and order.

### **THE RUSSIAN FEDERATION**

The Russian Federation occupies about one-seventh of earth's surface. Its total area is about 17 million square kilometers. The country is washed by twelve seas and three oceans. It borders on an enormous number of countries and it also has a sea-border with the

USA. The Constitution specified all the three powers: legislative, executive and judicial. The Constitution was adopted by national referendum on December 12, 1993.

**Russia is a federal presidential republic.** The President is the head of state and is elected by popular vote every six years for a maximum of two consecutive terms. The original constitution had four-year presidential terms, but this was amended to six years by parliament late in 2008. The new rules will not apply to the current administration and will come into effect only after the next election, due in 2012. The President's working residence is the Kremlin. The President determines the basic domestic and foreign policy, is the commander-in-chief of the armed forces, can veto legislative bills, resolves issues of citizenship of the Russian Federation, awards.

**The Government** duties are split between a number of ministries, some of which, in turn, have federal services and federal agencies answerable to them. The head of government, the prime minister, is appointed by the president and confirmed by the **State Duma**. The **government** is housed in Moscow. The **government** ensures the implementation of domestic and foreign policy, works out the federal budget, oversees the implementation of financial and monetary policy, ensures the rule of law, human rights and freedoms.

### **The Parliament**

The bicameral Federal Assembly makes federal law, approves treaties, declares war and has the power of the purse. Both its chambers are located in Moscow.

**The Federation Council** of Russia is the upper house of the Russian Parliament. Created by the 1993 constitution, it was to act as a voice of Russia's federated entities. The Council has explicitly stated that no political factions are to exist in the upper house.

Unlike the State Duma, the Council isn't directly elected. It consists of representatives of Russia's federal entities – each has two. One is elected by the entity's legislature; the other is nominated by the entity's head. The terms of the members aren't nationally fixed, but depend on the terms of the regional bodies that chose them.

The Council works with the lower chamber to complete and vote on draft laws. But the **Federation Council** also has special powers of its own, including the declaration of a presidential election, impeachment of the President and decisions on the use of the armed forces outside Russia's territory.

## **The Judiciary**

Three types of court make up the Russian judiciary:

- The courts of general jurisdiction (including military courts), subordinated to the Supreme Court;
- The arbitration court system under the High Court of Arbitration;
- The Constitutional Court (as well as constitutional courts in a number of federal entities)

The municipal court is the lowest adjudicating body in the general court system. It serves each city or rural district and hears more than 90 per cent of all civil and criminal cases. The next level of courts of general jurisdiction is the regional courts. At the highest level is the Supreme Court. Decisions of the lower trial courts can generally be appealed only to the immediately superior court.

Arbitration courts are in practice specialized courts which resolve property and commercial disputes between **economic** agents. The highest level of court resolving **economic** disputes is the High Court of Arbitration. The Constitutional Court is empowered to rule on whether or not laws or presidential decrees are constitutional. If it finds that a law is unconstitutional, the law becomes unenforceable and governmental agencies are barred from implementing it. The judges of the Constitutional Court, the Supreme Court and the Higher Arbitration Court are appointed by the parliament's upper house, the **Federation Council**.

## **Law Enforcement Offices**

The police, which come under the authority of the Ministry of National (Home) Affairs, have a wide range of activities. Their main duties are: maintaining public order, criminal investigation and law enforcement. They see to it that citizens observe laws, government decrees and local ordinances which regulate public order. They protect state and other public property of the citizens. They see to it that people abide to traffic rules. They issue internal passport and control the internal passport system. They maintain order in public places, summon first aid for people who involve in road or other accidents.

## **WHAT'S A LAW?**

Law is a set of rules, a code system or regulation that is introduced by the state or government. It can either be civil law or common law.

Legal systems can be divided in various ways: civil law, common law and some countries practice Islamic law. Laws are passed down by legislators such as the government or members of the parliament, basically means a government institution that has the power to pass down or amend laws.

### **WHAT'S A CRIME?**

Any violation of law is a crime. Crime can be described in many ways; it can be portrayed as an anti-social behavior that may cause trouble to the society and another is where crime is seen as a violation to the law and moral codes that eventually lead to punishments prior to the offence or felony. In another word, crime is basically defined merely as a violation to the law which has a direct relation to the criminal justice system. Crime does not have an exact measurement of time and location. It is unpredictable and may have certain factors that trigger it. Crime changes from time to time, crime cannot be avoided but it can only be prevented through specific measures. Crime condition from the past until today only becomes critical and worse. Therefore, punishment is used to control criminals and as a prevention approach for the wider society.

Criminal activity affects people mentally, economically, physically, and socially. This can mean that preventing the occurrence of crime can benefit society by reducing the number of victims as well as the amount of assistance people need. These factors make crime prevention a good idea whether in a rural or urban environment.

### **THE LEGAL SYSTEM**

A criminal is a person who has behaved in some way prohibited by the criminal law. Then, crime is an intentional act in violation of the criminal law (statutory and case law), committed without defense or excuse, and penalized by the state as a felony or misdemeanor. In this view, therefore, crime is simply a legalistic category of behavior.

Besides, crime is a part of public law – the law regulating the relations between citizens and the state. Crimes are acts which the state considers to be wrong and which can be punished by the state. There are some acts which are crimes in one country but not in another. For example, it is a crime to drink alcohol in Saudi Arabia, but not in Egypt. It is a crime to smoke marijuana in England, but not (in prescribed places) in the Netherlands. It is a crime to have more

than one wife at the same time in France. But not in Indonesia. A visitor to a foreign country can be sure that stealing, physically attacking someone or damaging their property will be unlawful. But the way of dealing with people suspected of crime may be different from his native country.

In many legal systems it is an important principle that a person cannot be considered guilty of a crime until the state proves he committed it. The suspect himself need not prove anything, although he will of course help himself if he can show evidence of his innocence. The state must prove his guilt according to high standards and there are elements that must be proved. In codified systems, these elements are usually recorded in statutes. In common law systems, the elements of some crimes are detailed in statutes; others, known as “common law crimes”, are still described mostly in case law. There are usually two important elements to a crime: 1) the criminal act itself; and 2) the criminal state of mind of the person, when he committed the act. In Anglo-American law these are known by the Latin terms 1) Actus Reus and 2) Mens Rea.

## **CRIME PREVENTION**

Crime prevention is a process to reduce a number of crimes. To prevent crimes is the main duty of enforcement organizations. It might involve young volunteers and organizations to keep order and defend law in public places. Educating students could also be a part of this initiative. Trying to get the students of law departments involved in observing the happenings and reporting them to police is an effective aspect of crime prevention. Another aspect is cultural education and proper bringing up. The Number of young criminals have recently become bigger. And it is growing day by day. What we have to do to reduce it? At first we should follow the time we live in, we have to know what are the teens interested in more, and develop new activities in these directions. We should organize new sport clubs, hockey and football teams, swimming pools. We should care about new generation in fact not by words. Education can be another element of crime prevention. Many times, those who drop out of school can easily be persuaded to join gangs or abuse drugs. Convincing youth to remain in school and receive an education could eliminate this



vulnerability and consequently reduce the possibility of young people going to jail in the future.

Another way that education works as a tool for crime prevention is by trying to prevent certain behaviors in the first place. This could be drinking and driving for example. All efforts made by radio, television, or billboards are rational and useful in order to attempt to stop people from performing criminal acts. Some jurisdictions feel that adding more police officers to a particular area can aid in public safety. This is because criminals may not feel comfortable committing crimes if they are afraid they might get caught. Having security officers patrol businesses, apartment complexes, and city parks is generally another form of crime prevention.

**Juvenile delinquency** is an integral part of crime in general, but it also has its own specific features, which allows to consider it as an independent object of criminological study. The need for such selection is determined by the characteristics of physical, mental and moral development of minors, as well as their social immaturity.

In adolescence, young people are at the time of formation of their moral personality, the accumulation of experience, including negative, which may not be detected externally or to appear with considerable delay. Mentioned above peculiarities are quantitative and qualitative characteristics of juvenile delinquency. This crime being compared with adult has a high degree of activity, dynamism. People who embark on the path of crime at a young age, are difficult to fix. In fact they represent a reserve for adult crime. Differences between juvenile delinquency and adult crime are interrelated but they are noticeable. One of the reasons of recidivism in mature ages is juvenile delinquency. The roots of Crime committed by adults are in a time when the personality is being formed, that's why to prevent juvenile delinquency is very important to shorten a number of crimes in our society in total.

All over the world there are organizations that specialize in measuring "crime". One should always be cautious with interpreting crime data. Crime data never exist independently of the concepts and theories of those who observe the facts. Crime data can never represent criminal behavior in a neutral or unbiased way. This means that how crime data is explained, to a certain extent, depends on

concepts the experts have of crime. Data collected 50 years ago could be explained entirely different now than it was then.

## **CYBER CRIMES**

Reports of alleged computer crime have been a hot news item of late. Especially alarming is the realization that many of the masterminds behind these criminal acts are mere kids. In fact, children no longer need to be highly skilled in order to execute cyber crimes. "Hacker tools" are easily available on the Net and, once downloaded, can be used by even novice computer users. This greatly expands the population of possible wrongdoers. Children (and in some cases - their parents) often think that shutting down or defacing Web sites or releasing network viruses are amusing pranks. Kids might not even realize that what they are doing is illegal. Still other kids might find themselves hanging out online with skilled hackers who share hacking tools with them and encourage them to do inappropriate things online. Unfortunately, some of these kids don't realize that they are committing crimes until it is too late. Even more distressing and difficult to combat is the fact that some in the media portray the computer criminal as a modern day Robin Hood. Nothing could be further from the truth.

*The Department of Justice* categorizes computer crime in three ways:

1. The computer as a target - attacking the computers of others (spreading viruses is an example).
2. The computer as a weapon - using a computer to commit "traditional crime" that we see in the physical world (such as fraud or illegal gambling).
3. The computer as an accessory - using a computer as a "fancy filing cabinet" to store illegal or stolen information.

## 2. ЛЕКСИКО-ГРАММАТИЧЕСКИЕ ЗАДАНИЯ И ТЕСТЫ

### 1. Translate the key words into Russian:

Fatherland, established state unity, to keep order, humanistic values, universally recognized principles, equality and self-determination, the memory of ancestors, in comparison with, education representative, executive, judicial authorities, local government.

### 2. Translate into English, consult the dictionary to pronounce properly:

около одной седьмой части всей земной поверхности, общая площадь, квадратный километр, морские границы, законодательная власть, исполнительная власть, юридическая власть, одобрять (принимать) Конституцию, граждане, национальная (внутренняя политика), собственность, расследование, преступник, преступление, преступное действие, общественный порядок, правительство, транспортные происшествия, устанавливать порядок, вызывать первую помощь, писать проекты законов, правительство, назначать, национальный (внутренний) паспорт.

### 3. Translate the key words into English and arrange to fill up the

**table:** настоящий профессионал, декларировать, права и свободы, развитие, защищать, закон, современный, юрист, в любом государстве, расследовать, законодательный, ограничивать, соответствовать требованиям общества, зависеть от, правила поведения, развивать, законодательный документ, информировать, глубокий интерес, одобрять (принимать), совершать преступления, контракт, наказывать, взятка.

| Noun | Verb | Adjective | Word construction |
|------|------|-----------|-------------------|
|      |      |           |                   |
|      |      |           |                   |

**4. Derive new parts of speech, translate the verbs  
use line 1 as a Model:**

| <b>Verb</b>  | <b>Russian</b>      | <b>Noun</b>      | <b>Adjective</b>   | <b>Participle 1</b> |
|--------------|---------------------|------------------|--------------------|---------------------|
| <i>exist</i> | <i>существовать</i> | <i>existence</i> | <i>existential</i> | <i>existing</i>     |
| accuse       |                     |                  |                    |                     |
|              |                     |                  | punishable         |                     |
|              |                     | constituency     |                    |                     |
| elect        |                     |                  |                    |                     |
| vote         |                     |                  |                    |                     |
| legislate    |                     |                  |                    |                     |
| appoint      |                     |                  |                    |                     |
|              |                     | judgment         |                    |                     |
|              |                     | achievement      |                    |                     |
| execute      |                     |                  |                    |                     |
| organize     |                     |                  |                    |                     |
| agree        |                     |                  |                    |                     |
|              |                     | alternation      |                    |                     |
| regulate     |                     |                  |                    |                     |
| contradict   |                     |                  |                    |                     |
|              |                     |                  |                    | exciting            |
| separate     |                     |                  |                    |                     |
| revise       |                     |                  |                    |                     |
|              |                     |                  | competitive        |                     |

## 5. Match words to explanations, translate

| №  | Law terms                      | Explanation   | Translation |
|----|--------------------------------|---|-------------|
| 1  | accused                        | breaking into any place to commit a crime                                 |             |
| 2  | action in tart                 | lawyer's office   |             |
| 3  | adjudicate                     | to make a decision  |             |
| 4  | law agency                     | a delicate claim  |             |
| 5  | agreement                      | a lawyer  |             |
| 6  | alternative dispute resolution | a contract  |             |
| 7  | bribe                          | synonym to 'a lawyer'   |             |
| 8  | attorney                       | all the facts are being analyzed  |             |
| 9  | balance of probabilities       | opposite decision about a conflict  |             |
| 10 | sentence                       | a person who asked for a trial  |             |
| 11 | bankruptcy law                 | a special code proposing rules to close inefficient firms and enterprises |             |
| 12 | barrister                      | an act of stealing  |             |
| 13 | breach of contract             | legal responsibility  |             |
| 14 | burden of proof                | refuse to continue partnership or collaboration                           |             |
| 15 | burglary                       | a legal professional  |             |
| 16 | theft                          | criminal-procedural code  |             |
| 17 | civil code                     | rules and documents to regulate   |             |

|    |                         |  |  |
|----|-------------------------|--|--|
|    |                         | social and economic ties   |  |
| 18 | criminal code           | a kind of corruption   |  |
| 19 | claimant                | sending to a prison  |  |
| 20 | clause                  | an agreement   |  |
| 21 | commercial transactions | a chapter, a part of a document  |  |
| 22 | common law              | final decision in court  |  |
| 23 | court                   | special place to punish criminals and solve conflicts                      |  |
| 24 | imprisonment            | fair and honesty, jurisdiction   |  |
| 25 | judge                   | a person who saw a criminal at the moment when he was committing his crime |  |
| 26 | justice                 | legal punishment   |  |
| 27 | sentence                | an offender  |  |
| 28 | prosecutor              | uncodified law   |  |
| 29 | prosecution             | a sum of actions to find a criminal  |  |
| 30 | witness                 | a kind of punishment (living in a cell)                                    |  |

## TESTS

### TERM 1 TEST 1

#### 1. Choose correct answer

1. The law student said he did not ..... to go by bus.:

- a) care for    b) bother about    c) mind having    d) much mind

**2. Although he confessed to the crime, the judge let the boy .....**

- a) alone      b) come in      c) off      d) forgive

**3. I've never ..... that term before.:**

- a) gave away    b) come across    c) come over      d) come into

**4. The student could not answer the question, so he .....**

- a) gave off    b) gave into    c) gave up    d) gave away

**5. Lawyer is really a... profession**

- a) prestigious    c) well    b) responsible      d) Russian

**6. A law is.....?**

- a) a unit in a book      c) a rule to follow  
b) a word of policeman      d) tradition

**7. A crime is.....?**

- a) any offence      b) antisocial action  
c) violation the law      d) traffic jam

**8. Any crime should be.....?**

- a) detected      b) violated      c) punished    d) registered

**9. Find and mark one organization that doesn't protect law and order**

- a) police    b) security agency    c) court      d) canteen

**10. To keep ....is to follow healthy life style**

- a) fit      b) law      c) order      d) peace

**6. Use a proper word to complete the sentences:**

1. He gave me some useful \_\_\_\_\_ concerning my rights under the contract. (advice/advise).
2. Only people over 18 are \_\_\_\_\_ to vote (eligible/illegible).
3. The government continues to expand the list of \_\_\_\_\_ substances. (elicit/illicit).
4. Keep your receipt as \_\_\_\_\_ of purchase (proof/prove).

5. My pension will provide for my \_\_\_\_\_  
(dependants/dependent).
6. The jury passed a \_\_\_\_\_ verdict of guilty  
(anonymous/unanimous).
7. The divorce \_\_\_\_\_ every aspect of her life (affected/effectuated).
8. An agent can't bind its \_\_\_\_\_ when it goes beyond the limits of its  
authority (principal/principle).
9. When do new driving laws come into \_\_\_\_\_ (affect/effect).
10. They left the country out of fear of \_\_\_\_\_ (prosecution/  
persecution).
11. Let me \_\_\_\_\_ you, I will honor our contract. (assure/insure).
12. Many people visit the \_\_\_\_\_ building in Washington D.C. each  
year. (capital/capitol).
13. Mr. Anderson fell into a deep \_\_\_\_\_ after his car accident  
(coma/comma).
14. Your attitude is extremely \_\_\_\_\_ (complacent/complaisant).
15. To be \_\_\_\_\_, use easy-to-understand language  
(comprehensive/comprehensible).
16. I hoped to finish the procedure of cross-examination before the  
client could get \_\_\_\_\_ (unconscious/unconsciousness).

## **TERM 1 TEST 2**

**Max 50**

### **1. Use proper Tense forms to open the brackets 8**

1. He is a law student. He (to have) an exam in Law tomorrow. He  
(learn) hard all day today.
2. In our country people under 18 (not to take) part in elections.
3. Where is she (to go)? She (to go) to the University.
4. Justice in the RF (to be administered) by the courts of law only.
5. The Constitutional court of the RF (to interpret) the Constitution of  
the country.
6. She (to like) English, but now she (to learn) a new foreign  
language.

### **2. Answer the questions 6**

1. What is the highest judicial authority in the RF?
2. What is the aim of justice in the RF?



3. What are the courts of first instance in the RF?
4. What are the courts of second instance in our country?
5. How many foreign languages are you learning now?
6. Who can become judges in Russia?

**3. Match the words to the correct definition**

**6**

- |   |  |
|---|--|
| 1. sentence                                 | a. difficult to endure                 |
| 2. confusion<br>relations between countries | b. system of rules to regulate         |
| 3. international law                        | c. legal punishment                    |
| 4. intolerable<br>condition of shame        | d. a kind of disorder, messy           |
| 5. adopt                                    | e. growing group of people, the peers  |
| 6. generation                               | f. to vote to accept a law, resolution |

**4. Write a short summary (up to 12 sentences) to characterize one of the following points**

**20**

a. Political Structure of the RF

b. The Legislative system

c. Judicial System in the RF

**5. Make a short portrait (up to 6 sentences) of a good lawyer. 10**

## **TERM 1 TEST 3**

**Max 50**

**1. Read and translate the fragment:**

**14**

### **WHAT IS LAW?**

In everyday life people use the word **law** in many different ways. Actually the word law is very difficult to define. There is a field of law that is known as «**jurisprudence**», which analyzes the concept of law and is **concerned** with the philosophy of law. Throughout the centuries people have **attempted to define** law and **set forth** its role in society.

Law includes certain rules and regulations, statutes, procedures and orders usually **enforced** through a set of institutions (courts, parliaments, military and executive institutions and so on). It **shapes** politics, economics and society in numerous ways and serves as a primary social **mediator** of relations between people. The areas of law practice in which lawyers specialize are numerous. Some are included into large bodies of law, some **refer to** definite spheres of economy, business and human relations. For example, contract law regulates everything from buying a bus ticket to trading on markets. Property law defines rights and obligations related to the **transfer** and **title** of personal and real property. Trust law applies to **assets** held for investment and financial security, while tort law allows claims for compensation if a person's rights or property are harmed. Criminal law offers means by which the state can **prosecute the perpetrator**. Administrative law is used to review the decision of government agencies, while international law governs affairs between sovereign states in activities **ranging** from trade to environmental regulation or military action. Writing in 350 BC, the Greek philosopher Aristotle declared, «The rule of law is better than the rule of any individual».

Law serves **to maintain** order. Another role of law is **to resolve** disputes that arise between individuals and **to impose** responsibility if one person has a legal **claim** against another. Between law and order

on the one hand and settlement of disputes on the other, there are many situations that cannot be so clearly defined. For example, the income **tax** laws require that a person pay an income tax. If he fails to do so, or if he fails to declare all his income or take **improper deductions**, he may be **subjected to** penalties, but he has also failed to **live up** to his obligations to society. In any event it is important that one bear in mind that the law is not simply a statement of rules of conduct but is also the means whereby **remedies** are **afforded** when one person has wronged another.

**2. Give Russian equivalents to 10 words written in bold 5**

**3. Explain in English 10 word combinations from the list 10**

the concept of law, the role of the monarchy, to analyze the causes of our failure, the regulation of affairs, statute law, legal procedure, Newton's law, to observe the law, prosecution and defense lawyers, legal affairs, legal representative, the matter in dispute, to dispute a claim, the penalty for non-performance the contract, flexible moral laws, the law of gravity, a carrier in law, a law degree, to take legal actions, a wide range of environmental issues, a speech defining America's role in modern Europe, mediation between the two sides, the title of a book, the remedy for unemployment, Chinese herbal remedies.

**4. Complete the sentences according to the text «What is law?» 5**

1. Jurisprudence analyzes \_\_\_\_\_
2. Law includes \_\_\_\_\_
3. Contract law regulates \_\_\_\_\_
4. Property law defines \_\_\_\_\_
5. Administrative law is used \_\_\_\_\_
6. International law governs \_\_\_\_\_
7. The role of law is \_\_\_\_\_

**5. Translate the sentences into Russian. 10**

1. People must observe *law*.
2. A lawful act doesn't break any *law*.

3. The word *legal* appeared in Middle English from Old French, where it came from Latin *legis*.
4. Common *law* countries are the United Kingdom, the USA, Canada, Australia and New Zealand.
5. Law is unwritten in common law countries.
6. In Russia there are codes with *rules and regulations*.
7. The word *law* appeared in ancient times when the Saxons invaded Britain.
8. Every country tries to provide *laws* which will help its people to live safely and comfortably.
9. In the RF *tax* administration is presented by the FTS (Federal Tax Service and tax inspection agencies).
10. The producers, distributors and sellers provide quality and safe products in order not to do harm or damage to consumer or user.

**6. Give Russian equivalents to the following:**

**4**

1. it shapes the societies in numerous ways –
2. enforced through a set of institutions –
3. a primary social mediator of relations –
4. some are included into large bodies of law –
5. transfer and title of personal and real property –
6. tort law allows claims for compensation –
7. a state can prosecute the perpetrator –
8. to take improper deductions –

**7. Fill in the gaps with the prepositions in brackets.**

**2**

1. «Jurisprudence» is concerned.....the philosophy of law. 2. Some areas of law refer.....definite spheres of economy. 3. International law governs affairs ranging ..... trade to environmental regulation. 4. If a person fails to declare all his income he may be subjected..... penalties. (to, to, with, from) 5. Police officer's duty is to defend the society \_\_\_\_\_ crimes and criminals (to, for, from).

**1. Choose the words from the list to fill up the gaps: 6**

*Luggage, restrictions, a traveler, prohibited, permission, declaration, import, Customs house, duty free, exceed, payment.*

**AT THE CUSTOMS HOUSE**

The moment 1).....crosses the border his 2).....is taken to the 3).....by porters. Every country has its own customs regulations, which stipulate what articles are liable to duty and what are 4)..... Sometimes an article which falls under customs 5).....and is liable to duty is allowed in duty-free if the traveler does not 6).....a certain fixed quota. These are listed in a duty-free quota list. Customs restrictions also include a 7).....articles list. This is a list of items which may not be brought into a country or taken out of it. An official paper (from the proper authorities) giving 8).....to take items, which fall under special customs restrictions, in or out of a country is known as an 9).....or export license.

If the traveler has any item which comes under customs restrictions he is asked 10).....it. That is, he is asked to name the item, stating its value and other particulars. The 11).....is made either orally or in writing on a special form. The practice seems to vary in different countries. Upon 12).....of duty the traveler is given a receipt. As a rule personal effects are duty-free.

**2. Напишите одну из письменных работ по выбору:**

*эссе до 300 слов – 19;*

*сообщение - 9*

1. Comparing the work of the Customs House in Russia and abroad.
2. Law is social science. Is it inexact?
3. Write a fax about business trip arrangements (сообщение)

**3. Translate into Russian****10****CUSTOMS REFORMS ARE URGENT IN RUSSIA**

With the recent changes in Central and Eastern Europe one can't but agree that there is a special need in a reform of customs laws across those countries to make it easier for major investors to trade effectively with (and invest in) the region. Without a doubt, one country where reform is most urgently needed is Russia.

When we asked major multinationals which countries in Central and Eastern Europe and the CIS had the most straightforward customs procedures, Russia didn't even register. In fact, Russian import procedures were given bottom marks, when it came to the volume of paper work needed, the speed of processing, and the prevalence of corruption, although competency of Russian officials was rated relatively high.

What are the roots of the customs problem in Russia? It cannot be easy for the State Customs Service to use customs to facilitate trade and foreign investment, while it is also under pressure from the federal government to increase annual customs receipts of more than \$10 billion. Lowering import tariffs would raise customs revenue (by increasing imports) and reduce corruption. But in the current economic climate Western investors have been confronted with an extra 3% emergency import duty.

**4. Match the words and their explanation:**

**5**

- |                    |  |
|--------------------|--|
| a. duty-free goods | 1 to make known publicly or officially, according to rules, custom, etc.;                                  |
|                    | to make a full statement of property   |
| b. to declare      | 2 responsible, esp. in law for paying for something  |
| c. effects (pl.)   | 3 the cases, bags ,boxes, etc. of a traveler   |
| d. to smuggle      | 4 the dividing line between two countries  |
| e. restrictions    | 5 things you can buy at airports or on ships without paying the full price because there is no tax on them |
| f. tariff          | 6 belongings, personal property  |
| g. liable          | 7to take (esp. goods) from one country to another illegally  |
| h. border          | 8 a tax collected by a government, usually on goods coming into a country                                  |
|                    | 9 the worth of something in money  |

j. value or as compared with other goods  
10 rules or laws that strictly control what you are allowed to do

**5. Choose the correct option:**

**25**

1. They .... for a new house at the moment.  
A. have been looking B. are looking C. look
2. She .... her driving test.  
A. has just passed B. is passing C. passes
3. I think I... shopping on Saturday afternoon.  
A. go B. have gone C. will go
4. Be careful! You ... that plate.  
A. are dropping B. are going to drop C. drop
5. Ben looked tired. He ... hard all day long.  
A. had been working B. has been working C. is working
6. When I left home this morning, it .....  
A. was raining B. is raining C. rains
7. By the time I got there, Bill.....  
A. had already left B. left C. is leaving
8. Miss Jones .... two cups of tea today.  
A. has drunk B. is drinking C. drinks
9. Sarah .... my best friend since 1992.  
A. was B. is being C. has been
10. I .... at this time tomorrow.  
A. will have worked B. will be working C. will work
11. This table.... by my farther.  
A. has made B. was made C. made
12. The man....to hospital by ambulance three days ago.  
A. is taken B. took C. was taken
13. Dinner.... yet.  
A. has been served B. hasn't been served C. hasn't served
14. What ....to you? You look upset.  
A. is happened B. has been happened C. has happened
15. He ... win the competition because he has been training a lot.  
A. could B. was able to C. can
16. You ....finish your homework before you go out.  
A. mustn't B. must C. can't
17. I ... stay late at work tonight. My boss asked me about it.

- A. have to                      B. can                      C. needn't
18. ... you water the plants for me?  
A. May                      B. Will                      C. Shall
19. You ....tidy your room. I have already done it.  
A. mustn't                      B. don't have to                      C. has to
20. You ... more sport if you want to be fit.  
A. should do                      B. should to do                      C. don't have to do
21. I ... to play the piano when I studied at school.  
A. use                      B. didn't used                      C. didn't use
22. Did you ... travel a lot some years ago?  
A. use to                      B. used to                      C. use
23. Who ... by?  
A. wrote this book                      B. was this book written                      C. writes this book
24. Who ... you with your home task?  
A. helped                      B. were you helped                      C. did help
25. If I ....you, I wouldn't worry so much.  
A. was being                      B. am                      C. were
26. If I ....some free time at the weekend, I will visit my friends.  
A. would have                      B. had                      C. have
27. If you melt ice, it ....into water.  
A. would turn                      B. turns                      C. turn
28. If I hadn't visited Paris last year, I ....you.  
A. would have never met                      B. would never meet                      C. will never meet
29. If we ....now, we will reach the airport in an hour.  
A. leave                      B. will leave                      C. left
30. Susan told me she....the following morning.  
A. left                      B. would leave                      C. will leave
31. Mary .... us that she had never been to Russia.  
A. told                      B. says                      C. said
32. He ....he could visit us the next day.  
A. said                      B. told                      C. tells
33. The teacher ....if we had done our homework.  
A. asked                      B. said                      C. told
34. He said he ....in for sport for six years.  
A. has been going                      B. was going                      C. had been going
35. She asked where .... .



A. was the nearest bank      B. the nearest bank was      C. is the nearest bank

36. The boss said we ....come to work in time.

A. had to                              B. have to                              C. will have to

37. He warned me ....for the meeting.

A. don't be late                      B. not be late                      C. not to be late

38. Yesterday, there was a terrible accident. The driver ... have been killed.

A. should                              B. could                              C. would

39. You ... this report earlier. We have already missed the deadline.

A. should prepare                      B. should have prepared                      C. ought prepare

40. He ... visit his parents very often some years ago.

A. didn't use to                      B. use to                              C. didn't used

41. I ... to playing football regularly when I studied at school.

A. got used                              B. used                              C. am use

42. He never....lies.

A. tells                              B. says                              C. talks

43. Mary is so good at.... stories.

A. saying                              B. speaking                              C. telling

44. We are looking forward ... a holiday.

A. have                              B. having                              C. to having

45. I've decided ... for a new job.

A. to look                              B. looking                              C. look

46. He always make me ... .

A. to laugh                              B. laugh                              C. laughing

47. It's no use ... this question now.

A. to discuss                              B. discussing                              C. discuss

48. He enjoys ... to classical music.

A. listening                              B. listen                              C. to listen

49. I don't like when people pretend ...someone else.

A. be                              B. being                              C. to be

50. He doesn't mind ... overtime.

A. working                              B. work                              C. to working

## TERM 2 TEST 2

100

1. Прочитайте текст *History of Jurisprudence* и заполните пропуски словами и выражениями:

12

*Romans, cases, meaning, implemented, scientific, legal, law,  
Interpretations, customs, create, notable, bureaucratic*

## **The HISTORY OF JURISPRUDENCE**

*Jurisprudence* already had this \_\_\_1\_\_\_ Ancient Rome, even if at its origins the discipline was a monopoly of the College of Pontiffs which retained an exclusive power of judgment on facts, being the only experts in traditional law ( a body of laws ) and \_\_\_2\_\_\_ verbally transmitted “by father to son”). Pontiffs indirectly \_\_\_3\_\_\_ a body of laws by their pronouncements on single concrete (judicial) \_\_\_4\_\_\_.

Their sentences were supposed to be simple \_\_\_5\_\_\_ of the traditional customs, but effectively it was an activity that soon turned to a more fair and just interpretation, adapting the \_\_\_6\_\_\_ to the newer social instances. The law was then \_\_\_7\_\_\_ with new evaluative legal concepts, while remaining in the traditional scheme. Pontiffs were replaced in 3<sup>rd</sup> century BC by a special body admission to which was upon proof of competence or experience.

Under the Roman Republic, schools of law were created, and the \_\_\_8\_\_\_ constantly became more academic. In the age from the early Roman Empire to the 3rd century, a relevant literature was produced by some \_\_\_9\_\_\_ groups including the Proculians and Sabinians. The degree of \_\_\_10\_\_\_ depth of the studies was very high in ancient times and reached still unrivalled peaks of skill. It is about this activity that it has been said that \_\_\_11\_\_\_ had developed an art out of the law. After the 3rd century, *jurisprudence* became a more \_\_\_12\_\_\_ activity, with few notable authors. It was during the Byzantine Empire (5<sup>th</sup> century) that studies were once again undertaken in depth, and it is from this cultural movement that Justinian's Corpus of Jurists was born.

**2. Завершите текст подходящими по смыслу словами (цифры соответствуют пропускам в тексте), образуя нужную по смыслу часть речи с помощью приставок и суффиксов: 6**

**1 – legality, 3-popularity, 2- tradition, 4- universe, 5 – philosophy, 6 - modernity**

Modern (1) ..... theory and philosophy of law are dominated today by western academics. The ideas of the Western legal schools have

(2).....become so (3).....throughout the world that it is tempting to see them as (4)..... Historically, however, many (5)..... from other traditions have discussed the same questions, from (6)..... scholars to the ancient Greeks.

**3. Переведите на русский язык предложения**

**10**

1) We want people to be law abiding. 2) Everybody wants their country to have good safety. 3) We believe laws to protect the interests of all the people. 4) We consider philosophy to be important for understanding of law and its principles. 5) We know different schools of jurisprudence to have no bright lines between them. 6) We expect comparison of law proved to be important for the development of jurisprudence. 7) We expect the judge not to be influenced only by both written and unwritten principles. 8) We believe the judge not to treat law like math. 9) According to positivists, we consider morality to be one of the sources of law. 10) We suppose jurisprudence to be foundation of philosophy of law.

**4. Завершите предложения, раскрыв скобки, употребите Present Indefinite или Present Progressive. Найдите и подчеркните предложение в Past Progressive**

**13**

1) The policeman watched the burglar (to break in) enter the house. 2) Criminals sometimes (not/ feel) the danger . 3) The Policemen (to detect) crimes and (to arrest) criminals. 4). Lawyers always (to think) perfect laws for all the countries. 5) We (to think) some of these laws (to be) applicable. 6) Look! He is (to steal) her bag! 7) In our country the lawyers (to try) to reduce crimes. 8) Can you hear? The judge (to read out) the decision just now. 9) - What is he doing? - He (to read) a new code of laws. 10) I (ask) witnesses to tell the truth. 11) The policeman came when the burglar (to enter) the house. 11). We (to go) to the trial next morning. 12) They often (to buy) new Law papers and magazines.

**5. Преобразуйте утверждения в отрицательные предложения, задайте вопросы к 5 предложениям:**

**13**

1) He knows most of laws. 2) Law is based on different sources. 3) Any society has written law. 4) Knowledge of law is the most important thing. 5) They were studying the texts of encyclopedia. 6)

They have read the history of jurisprudence for the exams. 7) Scholars can easily develop concept of jurisprudence. 8) People must know history of law.

**6. Преобразуйте в прилагательные данные ниже существительные и глаголы, добавив к ним подходящий суффикс: 6**

constitution, benefit, jurisprudence, defense, election, advantage, policy, power, expression, custody, autonomy, profit, act, hero, rely, execute, compete.

**а) Переведите фрагмент из текста *Jurisprudence*. 20**  
**Выберите правильные ответы на вопросы, данные после текста (a, b, c)**

## **JURISPRUDENCE**

The word “jurisprudence” derives from the Latin term ‘*juris prudentia*’, which means ‘the study, knowledge, or science of law’. In the United States jurisprudence is more broadly associated with the philosophy of law. Legal philosophy has many branches, with four types being the most common. The most prevalent form of jurisprudence seeks to analyze, explain, classify, and criticize entire bodies of law, ranging from contract to Constitutional Law.

Legal encyclopedias, law reviews, and law school textbooks frequently contain this type of jurisprudential scholarship. The second type of jurisprudence compares and contrasts law with other fields of knowledge such as literature, economics, religion, and the social sciences.

The purpose of this type of study is to enlighten each field of knowledge by sharing views that have proven to be important in developing of essential features of the compared discipline. The third type of jurisprudence raises fundamental questions about the law itself. These questions seek to reveal the historical, moral, and cultural foundations of a particular legal concept. *The Common Law* is a well-known example of this type of jurisprudence. It traces the evolution of civil and criminal responsibility from undeveloped societies where liability for injuries was based on subjective notions of revenge, to modern societies where liability is based on objective notions of reasonableness.

The fourth and fastest-growing body of jurisprudence focuses on even more abstract questions, including, what is law? How does a trial or court judge decide a case? Is a judge similar to a mathematician or a scientist applying autonomous rules and principles? Or is a judge more like a legislator who simply decides a case in favor of the most politically preferable outcome? Must a judge base a decision only on the written rules and regulations that have been enacted by the government? Or may a judge also be influenced by unwritten principles derived from theology, moral philosophy, and historical practice?

Apart from different types of jurisprudence, different schools of jurisprudence exist. Formalism, or conceptualism, treats law like math or science. Formalists believe that a judge identifies the relevant legal principles, applies them to the facts of a case, and logically deduces a rule that will govern the outcome of the dispute. In contrast, proponents of legal realism believe that most cases before courts present hard questions that judges must resolve by balancing the interests of the parties and ultimately drawing an arbitrary line on one side of the dispute.

This line, realists think, is drawn according to the political, economic, and psychological interests of the judge. Some legal realists even believe that a judge is able to shape the outcome of the case based on personal interests.

Apart from the realist-formalist dichotomy, there is the classic debate over the appropriate sources of law between positivist and natural law schools of thought. Positivists argue that there is no connection between law and morality and the only sources of law are rules that have been expressly enacted by a governmental entity or court of law. Naturalists, or proponents of natural law, insist that the rules enacted by government are not the only sources of law. They argue that moral philosophy, religion, human reason and individual conscience are also integrative parts of the law. There are no bright lines between different schools of jurisprudence.

The legal philosophy of a particular legal scholar may consist of a combination of characteristics from many schools of legal thought. Some scholars think that it is more appropriate to think about jurisprudence as of something that changes gradually.

**1) *Law school textbooks and legal encyclopedia represent jurisprudence as***

- a) fundamental questions about the law itself;
- b) analysis, explanation and classification of bodies of law;
- c) comparison and contrast law with other fields of knowledge;

**2) *The third type of jurisprudence seeks to ....***

- a) compare law with other field of knowledge;
- b) reveal the historical , moral and cultural basis of a particular legal concept;
- c) find the answers on abstract questions;

**3) *A judge shapes the outcome of the case in the following way:***

- a) bases on written rules and regulations that have been enacted by the government;
- b) balances the interests of the parties;
- c) logically deduces the rule as a mathematician;

**4) *Positivists say that there is no connection between ...***

- a) law and order;      b) law and ethics;
- c) law and morality

**5) *The difference between different schools jurisprudence is ...***

- a) not clear;      b) clear;      c) definite.

### **3. PANEL DISCUSSION POINTS**

1. Do you know any great lawyers of the XX–XXI centuries? Tell about one of them.
2. What is a crime? Which crimes do you think are the most dangerous?
3. In your opinion, what does a word ‘law’ mean? How many its meanings do you know?
4. What is your future profession? Is it responsible and hard? Why do you think so?
5. What makes a good lawyer today? What are the priorities?
6. Do you like to learn English? Why do people learn foreign languages?
7. Are you a sporty student? What life style is healthy today?
8. Political Structure of the RF. What are the official symbols of our country?

9. Political Structure of the United Kingdom of GB: forms of monarchy; political parties.
10. What legal documents do the British value as historical relicts?
11. What is the Union Jack? What are other symbols of the United Kingdom of GB?
12. Have you ever been to London? What attractions would you like to visit there?
13. Do you know any British writers? What their books did you read? Who became famous for the detective stories?
14. What is Civil Law? What is Criminal Law?
15. Characterize *Juvenile delinquency*: its roots and reasons.
16. What are cyber crimes? Can the law enforcement authorities find criminals online?
17. Whose duty is to keep law and order in our society? What is *crime prevention*? What are rational and affective methods to prevent crimes?
18. Cyber crimes: are hackers criminals?

## 4. МАТЕРИАЛЫ ДЛЯ ИНДИВИДУАЛЬНЫХ ЗАДАНИЙ

### 4.1. Flash cards

Термины и высказывания можно прослушать в онлайн режиме на сайте: English for Lawyers [электронный ресурс с аудиоматериалами]  
<https://quizlet.com/94883735/english-for-lawyers-flash-cards/>

|   |                              |   |
|---|------------------------------|---|
| 1 | <b>judgment</b>              | решение суда  |
| 2 | <b>under oath</b>            | под присягой  |
| 3 | <b>law and order</b>         | правопорядок  |
| 4 | <b>the law of the jungle</b> | закон джунглей  |
| 5 | <b>to lay down the law</b>   | устанавливать правовые нормы, формулировать закон; говорить безапелляционным тоном, не допускать возражений |

|           |  |   |
|-----------|--|---|
| <b>6</b>  | <b>necessity knows no law</b>                        | нужда не знает закона                                   |
| <b>7</b>  | <b>to make laws</b>                                  | издавать, принимать законы                              |
| <b>8</b>  | <b>to repeal laws</b>                                | отменять законы   |
| <b>9</b>  | <b>to break laws -<br/>to obey laws</b>              | нарушать законы<br>соблюдать законы                     |
| <b>10</b> | <b>to enforce laws</b>                               | обеспечить (принудительно)<br>исполнение законов        |
| <b>11</b> | <b>to apply laws</b>                                 | применять законы  |
| <b>12</b> | <b>to be against the law</b>                         | быть по ту сторону закона                               |
| <b>13</b> | <b>to study law</b>                                  | изучать право   |
| <b>14</b> | <b>to amend the law</b>                              | вносить поправки в закон                                |
| <b>15</b> | <b>to turn to the law</b>                            | обращаться к закону                                     |
| <b>16</b> | <b>to live in society</b>                            | жить в обществе   |
| <b>17</b> | <b>the purpose of law</b>                            | цель права  |
| <b>18</b> | <b>to propose laws</b>                               | вносить законы на<br>рассмотрение                       |
| <b>19</b> | <b>in accordance with the law</b>                    | в соответствии с законом                                |
| <b>20</b> | <b>to have the rights to speak<br/>out publicly</b>  | иметь право высказывать<br>свое мнение публично         |
| <b>21</b> | <b>to have disagreements and<br/>conflicts</b>       | иметь разногласия и<br>конфликты                        |
| <b>22</b> | <b>to arrest and punish people<br/>without trial</b> | арестовывать и наказывать<br>людей без суда и следствия |
| <b>23</b> | <b>legal obligation</b>                              | правовые обязательства                                  |



|           |  |                                   |
|-----------|--|-----------------------------------|
| <b>24</b> | <b>to resolve disputes peacefully</b>            | решать споры миром                |
| <b>25</b> | <b>to respect individual rights and freedoms</b> | уважать права отдельного человека |

## **4.2. Темы для презентаций Power point**

1. The portrait of a famous lawyer;
2. From the history of Russian Law;
3. Crime defense: strategy of success;
4. Political Structure of the USA;
5. Political Structure of the United Kingdom of Great Britain;
6. Terrorism: forms, preventive measures.
7. Sciences and crime investigation

## **4.3. Case solving**

### **Кейс-задача 1**

#### **Задания:**

1. As you can see, crime is not something concrete or objective. It is incredibly hard to measure what individuals and societies perceive as crime because of changes over time. Find examples of crimes in some countries and aren't crimes in the others. Sum up the reasons of such differences.
2. What is terrorism? What forms does it have today? Which crimes are more dangerous? Do we have any efficient ways against terror and to prevent heavy crimes? Can you propose any other ways?
3. Decide, are you for or against death penalty? Why?

#### **Критерии оценки:**

- 0 баллов выставляется обучающемуся, если проблема не решена.
- 3 балла выставляется обучающемуся, если роль «сыграна» с небольшими лексико-грамматическими ошибками, не мешающими реализации поставленной коммуникативной задачи;

– 4 балла выставляется обучающемуся, если проблема решена, отсутствуют лексико-грамматические ошибки, мешающие реализации коммуникативной задачи.

## Кейс-задача 2

### Задание:

Compose step by step instructions to solve the following situations:

1. A young girl is complaining that her bag has been stolen. You are on duty.
2. You have to ask about traffic accident by phone.
3. You have to visit the apartment that has been just robbed.

### Критерии оценки:

- 0 баллов выставляется обучающемуся, если проблема не решена.
- 3 балла выставляется обучающемуся, если роль «сыграна» с небольшими лексико-грамматическими ошибками, не мешающими реализации поставленной коммуникативной задачи;
- 4 балла выставляется обучающемуся, если проблема решена, отсутствуют лексико-грамматические ошибки, мешающие реализации коммуникативной задачи.

## Кейс-задача 3

### Задание:

Give instructions to your friend who is going

- to buy a new car.
- to hire an apartment

### Критерии оценки:

- 0 баллов выставляется обучающемуся, если проблема не решена.
- 3 балла выставляется обучающемуся, если роль «сыграна» с небольшими лексико-грамматическими ошибками, не мешающими реализации поставленной коммуникативной задачи;

– 4 балла выставляется обучающемуся, если проблема решена, отсутствуют лексико-грамматические ошибки, мешающие реализации коммуникативной задачи.

### **Кейс-задача 4**

Судебная разбирательство предполагает ведение дискуссий (спора) и предполагает наличие у каждой из сторон определенной стратегии и тактики поведения. В связи с этим исковое заявление, апелляционная/кассационная жалоба, отзыв и иные процессуальные документы представляет собой концентрированное выражение избранной «litigation strategy».

#### **Цели ведения споров, «процессуальные» стратагемы**

Цели ведения конкретных судебных споров могут быть различными: начиная, например, от удовлетворения материального требования, заканчивая затягиванием процесса по другому делу; и исходя из выбранной стратегии сторонами могут использовать различные процессуальные стратагемы, берущее свое начало в китайской философии ведения войны

*(советую ознакомиться с книгой Зенгер Х. Фон*

*«Стратагемы. О китайском искусстве жить и выживать»).*

Приведем в качестве примеров наиболее распространенные схемы, которые могут быть с легкостью перенесены в процессуальную сферу:

- «Притворяться глупцом, не теряя головы»;
- «Извлечь нечто из ничего» (подача искового заявления со «слабой» правовой позицией и наложение «сильных» обеспечительных мер);
- «Для вида чинить деревянные мостки» (например, продемонстрировать иллюзию слабости позиции путем отложения судебных заседаний или выражения намерения заключить мировое соглашение);
- «Поднять шум на востоке — напасть на западе» (подача «параллельных» исков) и др.

При этом очевидно, что задача литигатора сводится не только к разработке собственной стратегии, но также к предугадыванию стратегии и тактики ведения спора другой стороной, обнаружению ее сильных и слабых мест.

**Метод «блок-схем»** состоит в графическом отображении определенной последовательности, образно говоря, «процессуальных команд», которые могут привести к решению задачи. Для его использования требуется:

- (1) выявление главных и второстепенных целей;
- (2) разработка возможных правовых позиций, перспективно приводящих к цели;
- (3) разработка возможных «процессуальных операций» (например, наложение обеспечительных мер, объединение исковых требований) перспективно приводящих к цели;
- (4) отображение комбинаций (2) и (3) в виде схемы.

Подобная алгоритмизация и схематизация позволяет видеть всю гамму способов достижения процессуальной цели и понимать слабые и сильные стороны той или стратегии, а также предоставляет возможность анализировать и отображать на блок-схеме возможные стратегии другой стороны спора.

**Задание:** найдите оптимальное решение проблемы (возможны несколько вариантов):

1. попытайтесь отобразить в виде блок-схемы стратегию ведения спора по текущему судебному процессу;
2. определите, как именно стратегия и тактика ведения спора по текущему делу влияет на структуру и содержание процессуального документа.

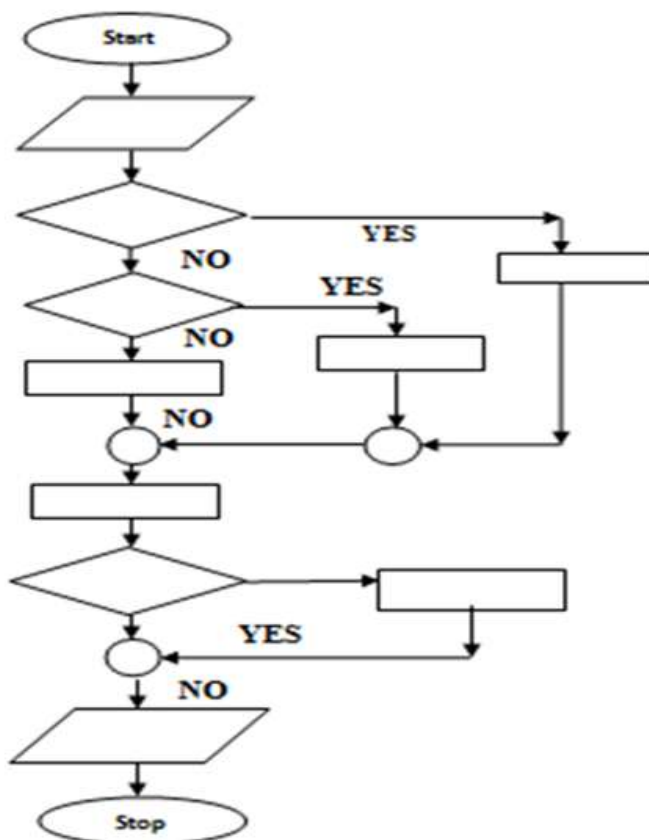
**Критерии оценки:**

- 0 баллов выставляется обучающемуся, если проблема не решена.
- 3 балла выставляется обучающемуся, если роль «сыграна» с небольшими лексико-грамматическими ошибками, не мешающими реализации поставленной коммуникативной задачи;
- 4 балла выставляется обучающемуся, если проблема решена, отсутствуют лексико-грамматические ошибки, мешающие реализации коммуникативной задачи.

## Кейс-задача 5

**Задание:**

Составьте и разыграйте диалог «Линия защиты» по блок-схеме:



- 0 баллов выставляется обучающемуся, если проблема не решена.
- 3 балла выставляется обучающемуся, если роль «сыграна» с небольшими лексико-грамматическими ошибками, не мешающими реализации поставленной коммуникативной задачи;
- 4 балла выставляется обучающемуся, если проблема решена, отсутствуют лексико-грамматические ошибки, мешающие реализации коммуникативной задачи.

### 4.4. Essay patterns

#### MATTER OF MY CONCERN

Each profession requires certain skills and qualities, the presence of which makes a professional. What makes a god lawyer today?

I'm a beginner in this field, but I think a lot about this question which has become a true matter of my concern.

I know that to get professional education is very important for a lawyer. Theoretical knowledge of jurisprudence, knowing the history

of law, such general subjects as the basics of economy, history, foreign and Russian languages form stable background, but it really isn't enough.

A skilled lawyer should have practical experience. By solving practical disputes a specialist can develop practical skills to transform theory into practice. Besides, a lawyer should be able to influence the others. He has always to be in demand, to strive for personal growth and development. A modern lawyer must be prepared correctly and in a timely manner to respond to the requirements of society, to apply methods and techniques when working with changing legislation, extensive documentation, published professional writings.

In addition to the mentioned above, the jurist must have personal qualities such as communication skills, confidentiality, responsibility, stress resistance, punctuality, etc. the lawyer should be self-improvement, as well as having deep interest in his profession. For sure modern lawyer should be a true intellectual, a smart and quit person who likes art and knows a lot.

It is important to understand that law is not necessary just because there are bad people in the world. Even if we were all as good as we ought to be, lawyers would still be necessary. If we never lied, never took anything that didn't belong to us, never omitted to do anything that we ought to do and never did anything that we ought not to do, we should still require a set of rules of behavior. In other words these are laws. They enable us to live in any kind of a state. Every lawyer is required to protect the law. The legal profession is very popular and highly paid today.

Lawyer is responsible to make and use laws helping people to live in safety and comfort. Still, it is not at all an easy work to do. A lawyer gives you an advice on legal problems or gives reasons for defending people in the court.

Finally, I would like to mention that all the qualities and abilities of a modern lawyer depend on his individual characteristics that influence his professional development and help at work. And I believe that very soon I can become a true professional who will see alive and suffering people behind crimes, contracts or bribes. Because when we keep law and order we defend people.

## **LAWYER IS a SOCIALLY DEMANDED PROFESSION**

A lot of people start looking for a specific job before thinking out their occupational aims. It is a good idea to define in clear terms, which your abilities are of great importance for your career. This involves taking a realistic view of your strengths and weaknesses. You may think for example, that you would like an occupation, which needs to organize people, but such qualification is not a sufficient justification of experience you already may have. This situation suggests that this is not your real goal in life and career.

Finishing school is the beginning of the independent life for millions of school leavers. Everybody can choose vocational or technical schools, institutes or universities. But it is not an easy thing to choose a profession out of more than 2,000 existing in the world. Some pupils follow an advice of their parents, the others can't make a choice even after leaving secondary school. Meanwhile, it's very important for everybody to make a right choice of profession. There are a lot of honorable occupations today. I've decided that I will be a lawyer. And now I'm a student of the Department of Law at Southwest State University.

It is important to understand that law is not necessary just because there are bad people in the world. Even if we were all as good as we ought to be, lawyers would still be necessary. If we never lied, never took anything that didn't belong to us, never omitted to do anything that we ought to do and never did anything that we ought not to do, we should still require a set of rules of behavior. In other words these are laws. They enable us to live in any kind of a state. Every lawyer is required to protect the law. The legal profession is very popular and highly paid today. Lawyer is responsible to make and use laws helping people to live in safety and comfort. Still, it is not at all an easy work to do. A lawyer gives you pieces of advice on legal problems or gives reasons for defending people in the court. Today a good lawyer is of great demand in our country. I want to become a lawyer devoted to my cause. I think it's my vocation.

I'm ready to do my best to get diploma and work in the field of profession I have already chosen.

## **DOES a CRIME PAY OR NOT?**

In this essay, I would like to discuss the problems of crime and the criminal deeds. This question is important today as never before. Furthermore, this is the most vital problem and therefore it is worth discussing.

In our country the crime often pays. What crime is ever done it pays greatly, because there is not enough power of the government and the police to stop the development of criminal deeds. That is why you are "allowed" to do everything you like and even more. Vladislav Listiev, Dmitry Holodov, Galina Starovoitova and many other famous politicians and businessmen were insolently assassinated and the criminals who had planned and paid for these murders are somewhere now enjoying their freedom and sure in the idea that the crime pays.

I believe that for honest, religious and law should respect people, it is out of the question that crime does not pay, because we all know that if you commit a criminal deed you will be punished by the God, or by your own conscience. Nevertheless, in our society some people have forgotten about justice and law. They hardly understand their role in life, and think that all the life is for them and the others can be ignored or terminated. Such ideas are like parasites distributing among others and infecting them.

Crime pays if it is well thought and prepared. For example let's take the robbery of the bank. Some people think that robbery of the bank demands guns, a group of well-prepared terrorists, detailed planning. I can say that these people watch TV and do nothing else, because what you need today to rob a bank is a computer, a modem, and some easy skills. Moreover, you may be confident that no one will ever catch you if you steal a little sum of money.

Finally, I suppose that there are two main points of view. Crime does not pay or it pays. I tend to think that crime does not pay, because if I commit a crime I will suffer for all my life. So, it will be easier to go to police, and tell everything.



## ESSAY TOPICS

1. Are you a tolerant person? In your opinion, how to get on well with people?
2. How to make a career? What does it mean to be a responsible professional? Skilled? Experienced?
3. People say: "No pains – no gains". When and why do we say so?
4. People say that actions speak louder than words. In your opinion, what does it mean? When do we say so?
5. People say that to know foreign language means to get another soul. In your opinion, what do they mean?
6. Social matter of my concern.
7. Is it a good idea to apply computer games in education? When? Do you like the way you learn? Why?

## 4. ОБРАЗЦЫ ЗАДАНИЙ ДЛЯ ПРОМЕЖУТОЧНОГО КОНТРОЛЯ

### Задания для зачета

#### 1. Беседа по теме.

Перечень тем:

1. What is a law? What is a crime? Kinds of a crime.
2. Is lawyer a socially demanded profession? What makes a good lawyer today?
3. Do you like to learn languages? Why do people learn foreign languages?
4. Are you a sporty student? What life style is healthy today?
5. What is the Union Jack? What are other symbols of the United Kingdom of GB?

#### Выполнение лексико-грамматического теста. (16 баллов)

##### Образец теста.

Choose the correct answer. Only one answer is correct.

John: Mr Jackson . . 1. . the children to the zoo yesterday. When they got there they . . 2. .

a bell, and when they were inside they saw a man in the lion house.

Mary: Why . . 3. . ?

John: He . . 4. . the lions their food.

Mary: How much . . 5. . ?

John: The children didn't . . 6. . Did you know that . . 7. . two restaurants in the zoo ?

So people . . 8. . go out if . . 9. . eat something.

Mary: What time . . . 10. . the restaurants?

John: Oh, the children . . . 11. . remember times. They . . . 12. . times aren't important.

- |                     |                       |
|---------------------|-----------------------|
| 1 A was taking      | B did take            |
| C took              | D has taken           |
| 2 A heard           | B were hearing        |
| C listened          | D were listening      |
| 3 A was he here     | B has he been there   |
| C has he been here  | D was he there        |
| 4 A was just giving | B has just given      |
| C gave just         | D had given just      |
| 5 A he gave to them | B did he give them    |
| C gave he to them   | D did he to them give |
| 6 A tell it me      | B say me              |
| C tell me           | D say it to me        |
| 7 A are there       | B are they            |
| C they are          | D there are           |
| 8 A mustn't to      | B mustn't             |
| C don't need to     | D don't need          |
| 9 A they want to    | B they want           |
| C he wants to       | D he wants            |
| 10 A do open        | B do they open        |
| C are open          |                       |
| D are opening       |                       |
| 11 A can't          | B may not             |
| C aren't able       | D couldn't to         |
| 12 A say to me what | B say me which        |
| C tell me what      |                       |
| D tell me that      |                       |

## **Задания к экзамену**

***1. Прочитайте и письменно переведите текст со словарем с английского языка на русский (20 баллов).***

### **Differences between civil and criminal procedure**

Criminal and civil procedures are different. Although some systems, including the English and French, allow private persons to bring a criminal prosecution against another person, prosecutions are nearly always started by the state, in order to punish the defendant. Civil actions, on the other hand, are started by private individuals, companies or organizations, for their own benefit. In addition, governments (or their subdivisions or agencies) may also be parties to civil actions. The cases are usually in different courts, and juries are not so often used in civil cases.

In Anglo-American law, the party bringing a criminal charge (that is, in most cases, the state) is called the "prosecution", but the party bringing most forms of civil action is the "plaintiff" or "claimant". In both kinds of action the other party is known as the "defendant". A criminal case against a person called Ms. Sanchez would be described as "The People v. (= "versus", "against" or "and") Sanchez," "The State (or Commonwealth) v. Sanchez" or "[The name of the State] v. Sanchez" in the United States and "R. (Regina, that is, the Queen) v. Sanchez" in England. But a civil action between Ms. Sanchez and a Mr. Smith would be "Sanchez v. Smith" if it was started by Sanchez, and "Smith v. Sanchez" if it was started by Mr. Smith.

Most countries make a clear distinction between civil and criminal procedure. For example, a criminal court may force a convicted defendant to pay a fine as punishment for his crime, and the legal costs of both the prosecution and defense. But the victim of the crime generally pursues his claim for compensation in a civil, not a criminal, action. In France and England, however, a victim of a crime may incidentally be awarded compensation by a criminal court judge.

***2. Прочитайте текст и выполните задания к нему (10 баллов).***

### **Blackberries**

‘There, I think that’s enough,’ said Mr. Frensham. ‘Very handsome.’

The boy was having his hair cut for the first time in his life. ‘We’re off to do some shopping,’ the boy’s mother said as she handed Mr. Frensham the money. They were going to buy the boy a cap, a round cap with a little button on top and a peak over his eyes. The boy wanted the cap very much. ‘This is the smallest size we have,’ the man in the clothes shop said. He put the cap on the boy’s head and stood back to look. It was a beautiful cap. ‘It’s a little big,’ said the man, ‘but you want something he can grow into, something that will last him a long time.’ ‘Oh I hope so,’ his mother said. ‘It’s expensive enough.’

The boy carried the cap back to the house himself. When his father came home late in the afternoon, the boy put on his cap and stood before his father. The man put his hand on the boy’s head and looked at him. ‘On Sunday,’ he said, ‘we’ll go for a walk. Just you and I. We’ll be men together.’ Although it was late in September, the sun was warm and the paths were dry. ‘Come on,’ said his father, ‘or we’ll never reach Fletcher’s Woods.’ ‘Will there be blackberries there?’ he asked. ‘There should be,’ his father said. ‘I’ll pick some for you.’

In Fletcher’s Woods his father showed him a tangle of blackberry bushes. Clusters of purple fruit hung in the branches. His father reached up and chose a blackberry for him. Its skin was plump and shining. ‘You can eat it,’ his father said. Together they picked and ate the dark berries, until their lips were purple and their hands marked and scratched. ‘We should take some for your mother,’ the man said. They had nothing to carry them in, so the boy put his new cap next to the grass and they filled it with berries.

\* \* \*

‘It was a stupid thing to do,’ his mother said, ‘utterly stupid. What were you thinking of?’ The man didn’t answer. ‘If we had the money, it would be different,’ his mother said. ‘Where do you think the money comes from?’

‘I know where it comes from,’ his father said. ‘I work hard enough for it.’ The cap lay on the table. Inside it was wet with sticky juice of blackberries. The stains were dark and irregular. ‘It’ll dry out all right,’ his father said. His mother’s face was red and her voice was shrill. ‘If you had a proper job,’ she shouted, ‘and could buy caps by the dozen, then ... ’

‘I do what I can,’ he said. ‘That’s not much,’ his mother said. ‘You don’t do much!’

Appalled, the child watched the quarrel grow. He began to cry quietly, to himself, knowing that it was a different weeping from any that he had experienced before, that he was crying for a different pain. He began to understand that they were different people; his father, his mother, himself, and that he must learn sometimes to be alone.

**1. What did the mother decide to buy?**

- a) cap
- b) bag
- c) blackberries
- d) sweets

**2. The mother decided to take the cap although it was a little big because...**

- a) it would last him longer  
looked good on the boy
- b) the larger size
- c) when his hair grew longer, the cap would fit better  
liked it
- d) the son

**3. The boy liked the cap because ...**

- a) it was a nice color  
hair which was now too short
- b) it covered his
- c) it made him look more grown-up  
had the same cap
- d) his friend

**4. His father was...**

- a) businessman
- b) worker
- c) not mentioned
- d) farmer

**5. The boy enjoyed his Sunday walk with his father because ...**

- a) he had never been to Fletcher’s Woods before  
eat blackberries together
- b) they could
- c) he could wear his cap
- d) mother stayed at



## 8. Trial and criminal defense.

### **Критерии оценки:**

#### **1. Беседа по теме.**

- 1 баллов выставляется обучающемуся, если тема не раскрыта и допущены грубые лексико-грамматические ошибки, мешающие выполнению коммуникативной задачи;
- 10 баллов выставляется обучающемуся, если тема раскрыта не полностью и допущены лексико-грамматические ошибки, не мешающие выполнению коммуникативной задачи,
- 20 баллов выставляется обучающемуся, если дан развернутый ответ, тема раскрыта полностью без ошибок. Коммуникативная задача выполнена.

## СПИСОК ЛИТЕРАТУРЫ

1. Зайцева С. Е., Тинигина Л. А. English for Students of Law. – М.: КноРус, 2014. – 352 с.
2. Английский для юристов/отв. редактор Н.М.Головина. – М.: Проспект, 2014. – 208 с.
3. Попова И. Н. Казакова Ж. И. Французский язык. М.: Нестор Академик. – 2011. – 575 с.
4. Левитан К.М. Немецкий язык для студентов-юристов. Учебное пособие. из-во Юрайт. – 2011 г. – 288 с.
5. Дроздова Т.Ю., Берестова А.И., Маилова В.Г., English Grammar: Reference & Practice” /учеб. пос., Т.Ю. Дроздова, А.И. Берестова, В.Г.Маилова. 10-е исправленное изд., –Спб: ООО «Издательство «АНТОЛОГИЯ», 2008.–464 с.
6. История, культура и традиции стран изучаемого языка. Пособие для студентов 1 курса всех специальностей / Юго-Зап. гос. ун-т; Сост. И.В. Атакищева, Е.А. Таныгина. – Курск: ЮЗГУ. – 2011. – 164 с.
7. Баянкина Е.Г. Fundamentals of the American Law. A Guide for Russian Lawyers Learning English as a Second Language = Основы американской правовой системы- Английский язык для студентов юридических факультетов: учебное пособие / Е.Г. Баянкина, А. Миллер, Л.Л. Тимофеева. Курск : КГТУ. – 2009. – 400с.

## Перечень методических указаний

1. Методические указания для студентов 2 курса специальности правоохранительная деятельность 1. 031001.65./Юго-Западный госуниверситет; сост. И. В. Тененева, Н. В. Тененева.– Курск, 2015. – 40 с.
2. Методические указания по английскому языку на поисковое чтение для студентов 2 курса всех специальностей / Юго-Зап. гос. ун-т. Кафедра иностранных языков; сост.: В.С. Звягинцева. – Курск: ЮЗГУ, 2011. – 48 с.
3. Методические указания по английскому языку на поисковое чтение для студентов 1 курса всех специальностей / Юго-Зап.



- гос. ун-т. Кафедра иностранных языков; сост.: В.С. Звягинцева. – Курск: ЮЗГУ, 2011. – 51 с.
4. Тестовые задания для студентов 1-2 курсов всех специальностей. Часть I/ Юго-Зап. гос. ун-т. Кафедра иностранных языков; сост.: Т.Н. Банникова, Н.И. Власенко, А.В. Кремнева и др. – Курск: ЮЗГУ, 2010, – 43с.
  5. Словарь для работы с темами по английскому языку на поисковое чтение для студентов 2 курса всех специальностей / сост. В.С. Звягинцева. Курск: ЮЗГУ. – 2011. – 37 с.

### **Перечень ресурсов информационно-телекоммуникационной сети Интернет**

1. Электронная библиотека ЮЗГУ <http://www.lib.swsu.ru/>
2. Информационная система «Единое окно доступа к образовательным ресурсам» <http://window.edu.ru/library>
3. Электронно-библиотечная система «Университетская библиотека online»: <http://www.biblioclub.ru>
4. English for Lawyers [электронный ресурс] <https://quizlet.com/94883735/english-for-lawyers-flash-cards/>
5. Window on Britain: <http://videoscope.cc/131897-window-on-britain-2.html>
6. BBC: <http://www.bbc.co.uk>
7. British Library: <http://www.bLuk>
8. British Tourist Authority: <http://www.visitbritain.com>
9. UK Online: <http://urww.ukonline.gov.uk>