International Legal English

Second edition

A course for classroom or self-study use

Teacher’s Book

Jeremy Day

with

Amy Krois-Lindner

and

TransLegal®
About the authors

Author of the Teacher's Book

Jeremy Day

Jeremy Day is Series Editor of Cambridge English for …, a series of ESP courses. The series includes courses on English for Engineering, Human Resources, Job-hunting, Marketing, Nursing, Scientists and the Media. He has authored or co-authored seven ESP Teacher's Books, including Introduction to International Legal English, Flightpath and Dynamic Presentations. He is co-author of the advanced level of Active Grammar, a CLIL-based grammar book. He currently works for English360 (www.english360.com) as a writer, editor and teacher-trainer. He lives with his wife and children in Warsaw, Poland.

Acknowledgements

Many people have contributed to this book, knowingly or otherwise. I have learned a huge amount about law and legal English from three sources: the anonymous writers behind countless Internet sites (acknowledged throughout this book); my legal English students at the British Council and elsewhere; and of course the Student's Book authors, Amy Krois-Lindner and TransLegal. For the second edition, I've also benefited enormously from the comments, advice and encouragement from friends in the legal English teaching community, including the excellent members of the EULETA discussion group (http://groups.yahoo.com/group/euleta).

Clare Sheridan at CUP managed the first edition seamlessly and professionally, and brought together many legal and ELT professionals to review and check the material, especially Dorthe Engelhardt from the University of Griefswald and Robert Houser, William Yeago and Janice Carling from TransLegal. For the second edition, Caroline Thiriau has also done an excellent job. Once again, Catriona Watson-Brown has been outstanding as an editor, adviser and motivator. Above all, I must thank my wife and children, Ania, Emilia and Tomek Day, for their patience and support.

Authors of the Student's Book

Amy Krois-Lindner

Amy Krois-Lindner has taught language competence at the English Department of the University of Vienna for many years. She teaches English for Special Purposes and academic writing and is also a teacher-trainer. In addition, she has played a role in the development of a departmental ESP module with certification and has been involved in the curriculum development of several ESP courses at the Vienna University of Applied Sciences and the Vienna University of Technology.

TransLegal

TransLegal is Europe's leading firm of lawyer-linguists, providing the legal community with:
- online legal English courses;
- online legal English testing;
- online legal English dictionary;
- online legal language resources;
- live legal English courses and seminars;
- translations of legal and commercial documents;
- legal language consultancy services.

TransLegal has collaborated with Cambridge ESOL, a division of the University of Cambridge, in the development of the Cambridge ILEC examination, the world's only internationally recognised test of legal English.

For more information about TransLegal and for online legal language resources, visit www.translegal.com.
Contents

Introduction vi
Preparing students for the ILEC exam ix
Teaching lawyers as a non-lawyer xii
Writing xiv
Games and activities xvi
Using the Internet for research xviii

Unit 1
The practice of law
  ○ Teacher's brief 20
  ○ Teaching notes 21
  ○ Photocopiable worksheets 283

Unit 2
Company law: company formation and management
  ○ Teacher's brief 37
  ○ Teaching notes 38
  ○ Photocopiable worksheets 287

Unit 3
Company law: capitalisation
  ○ Teacher's brief 52
  ○ Teaching notes 53
  ○ Photocopiable worksheets 290

Unit 4
Company law: fundamental changes in a company
  ○ Teacher's brief 68
  ○ Teaching notes 69
  ○ Photocopiable worksheets 293

Case study 1: Company law 84

Unit 5
Contracts: contract formation
  ○ Teacher's brief 87
  ○ Teaching notes 88
  ○ Photocopiable worksheets 297

Unit 6
Contracts: remedies
  ○ Teacher's brief 104
  ○ Teaching notes 105
  ○ Photocopiable worksheets 300

Case study 2: Environmental law 117

Unit 7
Contracts: assignment and third-party rights
  ○ Teacher's brief 120
  ○ Teaching notes 121
  ○ Photocopiable worksheets 303

Unit 8
Employment law
  ○ Teacher's brief 137
  ○ Teaching notes 138
  ○ Photocopiable worksheets 306
## Contents

<table>
<thead>
<tr>
<th>Unit</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>08</td>
<td>Sale of goods</td>
<td>152</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>152</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>153</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>309</td>
</tr>
<tr>
<td></td>
<td>Case study 3: Contract law</td>
<td>164</td>
</tr>
<tr>
<td>09</td>
<td>Real property law</td>
<td>167</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>167</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>168</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>312</td>
</tr>
<tr>
<td>11</td>
<td>Intellectual property</td>
<td>181</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>181</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>182</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>317</td>
</tr>
<tr>
<td></td>
<td>Case study 4: Intellectual property law</td>
<td>195</td>
</tr>
<tr>
<td>12</td>
<td>Negotiable instruments</td>
<td>198</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>198</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>199</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>320</td>
</tr>
<tr>
<td>13</td>
<td>Secured transactions</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>209</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>210</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>323</td>
</tr>
<tr>
<td>14</td>
<td>Debtor–creditor</td>
<td>225</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>225</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>226</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>326</td>
</tr>
<tr>
<td></td>
<td>Case study 5: Transnational insolvency law</td>
<td>241</td>
</tr>
<tr>
<td>15</td>
<td>Competition law</td>
<td>244</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>244</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>245</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>330</td>
</tr>
<tr>
<td>16</td>
<td>Transnational commercial law</td>
<td>264</td>
</tr>
<tr>
<td></td>
<td>Teacher’s brief</td>
<td>264</td>
</tr>
<tr>
<td></td>
<td>Teaching notes</td>
<td>265</td>
</tr>
<tr>
<td></td>
<td>Photocopiable worksheets</td>
<td>334</td>
</tr>
<tr>
<td></td>
<td>Case study 6: Transnational commercial law</td>
<td>280</td>
</tr>
</tbody>
</table>
Who is the ILE Second edition Teacher’s Book for?

The International Legal English Second edition (ILE) Teacher’s Book is aimed at all teachers using ILE in the classroom. It is designed to make the ILE course as flexible as possible, so that it is suitable for a wide range of teaching situations: from individual students to large groups; from prospective law students to experienced lawyers; from single-nationality groups to international classes; and from upper-intermediate level to advanced and beyond. It is aimed at teachers who may have limited teaching experience or little or no knowledge of legal English or the worlds of law and business. For this reason, more experienced teachers of legal English may find some sections of the book a little obvious, but it is hoped most teachers will appreciate the careful guidance. I myself am a teacher, not a lawyer, and throughout the book I have drawn heavily on my own experience of trying to get to grips with the concepts and language of commercial law.

What does the course involve?

Teachers are strongly advised to read the introductory sections in the ILE Student’s Book for guidance on the structure and contents of the course, and how it relates to the Cambridge ILEC (International Legal English Certificate) exam. There is also a section focusing on preparation for the exam on page ix of this book. In addition, you should familiarise yourself with the ILEC exam by looking at www.legalenglishtest.org.

How is the ILE Teacher’s Book organised?

At the beginning of this book, there are sections on Teaching lawyers as a non-lawyer (general advice for new teachers of legal English), Writing (ideas for making the writing activities more varied and interactive), Games and activities (to supplement many activities throughout the course) and Using the Internet for research (advice for teachers who wish to increase their knowledge in order to prepare for teaching legal English). There is also a section entitled Preparing students for the ILEC exam, giving advice on how to best prepare students for all four sections of the exam.

Each unit starts with a Teacher’s brief, designed to introduce non-lawyers to the legal topic of the unit. Where possible, the Teacher’s brief relates the legal concepts to the everyday experiences of non-lawyers. To enable teachers to read the briefs quickly and to scan them for specific information, the most important words and phrases are given in bold. These bold terms include key legal vocabulary (most of which is explained in the Glossary booklet that accompanies the Student’s Book) as well as the language skills developed in each unit. The briefings also include some useful Internet sources related to the unit. Inevitably, given the constantly changing nature of the Internet, some of these links may not work or may change.

The teaching notes start with an introductory discussion, designed to get students thinking and talking about the topic from a non-technical perspective. The notes then follow the organisational structure of the Student’s Book. The answers to each exercise are included immediately after the notes. (They are also listed at the end of the Student’s Book.)

There are also many supplementary activities (Optional lead-in/extension), usually designed to exploit the grammar and vocabulary from reading and listening texts more fully. Not all of these activities will be appropriate for all teaching contexts: some classes may find a text so easy that they need no further support or analysis, while others may find a text so difficult and time-consuming that you decide to move on to a new section in the book as soon as possible! However, it is hoped that they will make lesson planning easier, as they offer a good way of using five or ten minutes at the beginning or end of a lesson.

There are also Language and Background notes throughout the units to explain difficult language (usually vocabulary from reading or listening texts,
but also some unusual or difficult grammar structures). IPA pronunciation is often given inside Language/Background notes, or as separate **Pronunciation notes**. The aim of all of these notes is to provide teachers with some background before they start a lesson, or to provide answers to difficult questions from students during lessons. For this reason, the Pronunciation notes contain some non-technical terms which may nonetheless cause you problems.

For each Listening section, there is a reference to both the relevant CD/track number(s) and the page in the Student’s Book where the transcript can be found.

Each unit in the Student’s Book ends with an online research activity and a self-study **Language focus** section. This book does not provide specific guidance for these (other than answers for the Language focus), as they are self-explanatory, although there are some ideas for doing the online research activities on page xviii. Both activities are ideal for homework, either during the course of the unit or afterwards as revision. They can also be done in class. Needless to say, it is important that you, the teacher, try these activities yourself so that you are ready to deal with any problems students may have with them. The sections on the ILEC exam at the end of the Student’s Book (**Exam focus** and **ILEC practice test**) are also an excellent source of ideas for homework.

Each unit contains references to photocopiable worksheets, which can be found at the back of the book. Instructions and answer keys (where applicable) for these activities are included within the notes. In most of the units, one of the worksheets provides notes for a role-play. A few units contain role-plays elsewhere (in the Student’s Book or Teacher’s Book), in which case there is no separate role-play worksheet.

The Student’s Book also contains six case studies, after Units 4, 6, 9, 11, 14 and 16. Notes for these are given at the same positions in this book.

### How can the book be used with different levels?

Although **ILE**, like the ILEC exam, is aimed at upper-intermediate to advanced levels, this does not mean that it cannot be used with lower or higher levels. The notion of ‘level’ is rather complicated when it comes to legal English. For example, Student A, an experienced international lawyer, may be fairly fluent and confident in English, but due to his frequent mistakes is classified as ‘intermediate’. Conversely, Student B may have technically proficient English, but due to her lack of legal knowledge, may struggle with the course as much as Student A. For both of these students, you should provide plenty of support, including supplementary activities, with the aim of getting them through the course and their exams.

Student C, on the other hand, is already an experienced lawyer with an excellent command of both legal and general English. In her case, your aim should be for her to master most of the language used in the book, with a view to producing it, rather than merely understanding it. The supplementary activities should therefore be used to make the course more challenging.

Even in a mixed-ability group, it is possible for all students to make good progress, whatever their initial level. You should encourage them each to push themselves to use difficult, new or sophisticated language as much as possible in their speaking and writing, and you should provide sensitive feedback and error correction.

### How can the book be used with different class sizes?

At many points in both the Student’s Book and the Teacher’s Book, there are instructions for the students to work in pairs. Obviously, if you have only one student or an odd number, this will be impossible, but for the most part this should not cause problems. With one-to-one classes, you will have to be the partner in discussions and role-plays. Where a role-play includes a lawyer and a client, you should always play the role of the client. With odd numbers of students, most pairwork exercises will work equally well with groups of three. In both cases, specific advice has been provided where necessary (for example, with role-plays).

There is no upper limit to the class size. For time reasons, some activities (such as individual presentations) may have to be modified for very large groups, but again specific instructions have been provided where necessary.
Do I have to work through the book in order?

You can work through the units in any order you like, although it’s a good idea to start with Unit 1. The three units on company law (Units 2, 3 and 4) are best done in that order, but you may decide to do some other units in between to add a bit of variety. The same goes for the three units on contract law (Units 5, 6 and 7). The Case studies can be done at any point, but of course they will work better after the units which deal with the relevant topics. It is also not a good idea to save all the Case studies for the end of the course. The Exam focus section and ILEC practice test should be used throughout the course – if you leave them to the end, it will be too late.

How long does the course take?

Whenever I have taught from International Legal English, it has taken me around five 90-minute lessons to complete a unit (so around 7.5 hours per unit, 120 hours for the whole course). But I know teachers who have completed units at a much faster rate – as few as three 90-minute lessons per unit (so 72 hours for the whole course). It all depends on your approach, your students and your timetable. Bear the following in mind:

- Will you use most of the supplementary activities and worksheets?
- Will you play lots of vocabulary revision games?
- Will you allow long discussions to develop from the topics in the book (and from students’ own professional lives)?
- Will you supplement the course with materials you have made yourself?
- If you set a reading task as homework, will you go through it carefully and discuss it in the next lesson (rather than simply checking the answers)?

I tend to do all of these things, and I believe this to be the most appropriate and effective way to work with this book.