

Academic Year: ( 2019 / 2020 )

Review date: 28-04-2020

Department assigned to the subject: International Law, Ecclesiastical Law and Philosophy of Law Department

Coordinating teacher: CELADOR ANGON, OSCAR

Type: Compulsory ECTS Credits : 9.0

Year : 1 Semester : 0

**REQUIREMENTS (SUBJECTS THAT ARE ASSUMED TO BE KNOWN)**

None

**OBJECTIVES**

This course is designed for law graduates who will shortly be practicing lawyers and who have an intermediate level of English, with a view to helping them communicate orally with their English-speaking clients, read and understand legal texts in English, and draft simple documents in that language. Although translation will inevitably play a role, this is not a course for English-Spanish legal translators but rather is intended for legal professionals who need to achieve an active command of English. Classes will be taught in English from the practical perspective of promoting both oral and written communication. This course is divided into seven units that present the vocabulary and basic concepts of contract law, corporate law, civil procedure, criminal law and procedure, labor law, tax law and property law.

In view of the foregoing, students will:

- learn the basic concepts of the Anglo-American system of common law
- achieve an active command of the basic legal vocabulary in the six areas of law covered in the course
- familiarize themselves with the peculiar features of Anglo-American legal language, including the differences between legal usage in the US and in England and Wales, and with an emphasis on what are often called false friends that, despite their similar appearance, may have opposite meanings in English and Spanish
- be capable of using these skills to explain (both orally and in writing) the basic aspects of Spanish law in English in the six areas of law examined during the course

**DESCRIPTION OF CONTENTS: PROGRAMME****Unit 1: Terminology of Contracts**

Introduction to the basic terminology and concepts of Anglo-American contract law:

- Reading: Step by step Through the Life of a Contract
- Reading: Anatomy of a Contract
- Parts of a typical contract; standard clauses
- Types of contracts
- Features of the language of English contracts
- Specific terminology and phraseology of English-language contracts
- Exercises in class to learn to identify 28 standard contract clauses that are present in the majority of contracts
- In-class practical exercise (in preparation for the exam): analysis of a Contract of Standard Terms and Conditions

**Unit 2: Terminology of Corporate Law**

Presentation of the basic vocabulary and concepts of corporate/company law, examining the principle forms of doing business in Anglo-American jurisdictions (sole proprietorships, general partnerships, limited partnerships, limited liability companies, corporations) and the most important features of each, including:

- Basic company/corporate law vocabulary
- Differences in corporate law terminology in the US and in England and Wales
- Reading: The Scope of Business Law

- Reading: What do Business Lawyers Do?
- Reading: Forms of Doing Business in the US and in England/Wales
- Reading: 10 FAQs¿Acquiring a Business in Spain
- Analysis of sample Articles of Incorporation
- Analysis of sample Bylaws
- In-class practical exercise (in preparation for the exam): Student presentations on the major business forms available to clients in Spain/the student's country
- Table-Spanish Business Vehicles

### Unit 3: Terminology of Civil Procedure

Presentation of the terminology and basic concepts relating to courts, the judicial system and civil procedure, outlining the steps in a civil action from the moment process is served until a judgment is rendered, including:

- Pretrial Civil Litigation Terminology
- Trial and Appellate Civil Litigation Terminology
- Readings: Outline of a Typical Civil Action; Steps in Civil Procedure
- Sample Documents: summons, complaint, answer and documents used in the discovery stage of civil proceedings (interrogatories and requests for production)
- In-class practical exercise (in preparation for the exam): Explaining Spanish civil procedure in English

### Unit 4: Terminology of Criminal Law and Criminal Procedure

Presentation of the terminology and basic concepts of criminal procedure and criminal law:

- Reading: Steps in Criminal Procedure
- Reading: The Three Main Steps in a Criminal Trial
- Vocabulary exercises: Criminal Law and Procedure
- Vocabulary exercises: Name that Crime!
- In-class practical exercise (in preparation for the exam): Explaining Spanish criminal procedure in English

### Unit 5: Terminology of Labor Law

Presentation of the terminology and basic concepts in English relating to labor and employment law, including:

- Reading: an at-will employment contract
- Reading: a typical collective bargaining agreement
- Review of the basic vocabulary of labor relations
- In-class practical exercise (to prepare for the exam): Student presentations on different aspects of labor and employment relations in Spain/the student¿s country

### Unit 6: Terminology of Tax Law

Presentation of concepts and terminology related to the major forms of direct and indirect taxation, including: Introduction to the basic vocabulary of Tax Law

- Vocabulary related to the Spanish tax system
- Reading: Spanish Tax Facts
- Reading: The Spanish Tax System
- In-class practical exercise (to prepare for the exam): Analysis of U.S. Individual and Corporation Income Tax Returns

### Unit 7: Terminology of Property Law

Presentation of the vocabulary and basic concepts of property law:

- Readings: Property rights, Ownership as a bundle of rights; Co-ownership; Condominium or commonhold; Landlord-Tenant Law; Intellectual Property.
- Analysis of contracts (to prepare for the exam): Real Estate Purchase Agreement; Contract for the Sale of Goods; Residential Lease Agreement; Patent Assignment Agreement; Trademark License Agreement.

## LEARNING ACTIVITIES AND METHODOLOGY

For each of the principal areas of law studied, and using different activities, the professor will introduce students to the basic terminology and legal texts in English will be read and discussed in class. In each case students will be asked to compare and contrast the principal features of Anglo-American law with the legal system in Spain or in their countries. The goal is to ensure that students are not only capable

of understanding the texts, but also of discussing them and to drafting simple documents in English based on the texts read in class.

These are ¿traditional¿ classes in which the student¿s active participation and total attention in class are essential, without relying on laptop computers or using mobile phones. (In exchange, the professor guarantees that no student will be the victim of death by powerpoint).

Students will be provided access to the class texts and materials one week prior to the commencement of each unit, so that those who wish to prepare the lessons beforehand may do so.

#### ASSESSMENT SYSTEM

Students will take a separate exam at the end of each of the six units covered. Exams are generally divided into two parts. The first part consists of terminology exercises and will have a component to test active vocabulary (to ascertain whether students have mastered the basic legal English vocabulary from each unit), together with a component to test passive vocabulary (to ensure that students have learned certain legal concepts that are necessary in order to understand the material). The second part is a practical exercise in which students must demonstrate that they are capable of using the vocabulary and concepts acquired by answering in English a question concerning Spanish law (or their own law). Prior to the exam there will be an in-class exercise, supervised by the professor, to prepare them for the second part of the exam.

<b>% end-of-term-examination:</b>	60
<b>% of continuous assessment (assignments, laboratory, practicals...):</b>	40

#### BASIC BIBLIOGRAPHY

- Alcaráz Varó, Enrique y Brian Hughes El inglés jurídico, Barcelona: Ariel, 2007
- Alcaráz Varó, Enrique, Miguel Ángel Campos Pardillos and Cynthia Miguélez El inglés jurídico norteamericano, Barcelona: Ariel, 2007
- Brown, Gordon W. Legal Terminology, Pearson Education, New Jersey: 2008
- Chartrand, Marcella, Catherine Millar y Edward Wiltshire English for Contract and Company Law, London: Sweet & Maxwell, 2003
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- Jowers, Rebecca Léxico temático de terminología jurídica español-inglés, Valencia: Tirant lo Blanch, 2015

#### ADDITIONAL BIBLIOGRAPHY

- Brown, Gordon W. Legal Terminology, New Jersey: Pearson Education, 2008
- Chartrand, Marcella, Catherine Millar y Edward Wiltshire English for Contract and Company Law, London: Sweet & Maxwell, 2003
- Garner, Bryan A., ed. Black¿s Law Dictionar, St. Paul, Minnesota: West Publishing Co, 2004
- Okrent, Cathy Legal Terminology, Albany, New York: Delmar (West Legal Studies), 2001