Exercise 2

Read this text about working in law. The most important words are in the key vocabulary below. Decide if the statements on the next page are true or false.

Key vocabulary

- **lawyer**
- **attorney**
- **qualified**
- **litigation**
- **right of audience**
- **practise**
- **judge**
- **legal practice**
- **advocacy**
- **appear**
- **barristers**
- **training contract**
- **partnership**
- **pleading a case**
- **solicitors**
- **law firm**
- **acting for**
- **represent**
- **specialise**
- **clients**

There are two types of **lawyer** who **practise** in England. They are called **barristers** and **solicitors**. In the USA and most other countries, lawyers don't make this division – a lawyer is simply known as an attorney at law, or an **attorney**.

In both England and the USA, it is not possible to take a special exam to be a **judge**. If you decide that you want to be a judge, you must get a lot of experience as a lawyer first, then apply to be a judge and wait to see if you are chosen.

Most law students in England become solicitors. When they finish their university studies they do a one year legal practice course and then a two-year **training contract** with a **law firm**. After that, they are **qualified** solicitors. Many solicitors work for a **legal practice**, which is usually a **partnership** of solicitors who work together. Solicitors practise in many areas of law, although each solicitor usually chooses to **specialise** in one particular area. They represent their **clients** both in and out of court. We often describe this as **acting for** a client. The process of making a claim in the civil court is called **litigation**.

Barristers are self-employed lawyers and don't work in partnerships in the way that solicitors do. They are specialists in **advocacy**, which is the skill of speaking for someone in court. We call this **pleading a case**. They also give opinions on areas of law to solicitors and the solicitors' clients. It is not just barristers who have the **right of audience** in court – solicitors are also allowed to **represent** their clients in court and many solicitors **appear** in court every day. It is not true to say that a client always needs a barrister in court.

LIVEWORKSHEETS

AREAS OF LAW

Exercise 1

In England and the USA there is an area of law called 'the law of tort'. It is the law of civil responsibility. It is an area of civil law.

Read this text about the law of tort. The most important words are in the key vocabulary below. Answer the questions that follow, using a full sentence.

Key vocabulary

- **law of tort**
- **injured person**
- **allegations**
- **carelessness**
- **committed**
- **negligence**
- **tort**
- **to sue**
- **no win-no fee**
- **damages**
- **grounds**
- **breach**

The law of tort says that everyone has a civil duty to be careful and not to hurt or harm another person. Lawyers call this civil duty, 'the duty of care'. Sometimes people breach this duty of care. To **breach** means to break. Very often they breach the duty of care by accident but sometimes they do it deliberately. If someone hurts or harms another person because of a breach, we call this harmful action **a tort**. This means that some things that might be criminal in your legal system are a tort in England and the USA.

Look at the list of harmful actions below. In England and the USA they are usually torts.

- leaving the floor of a shop in a dangerous condition so that a customer falls and hurts her leg
- saying something that is bad about someone, which isn't true
- writing a story in a newspaper about someone, which isn't true
- playing loud music late every night, which disturbs your neighbours

This area of law is easier to understand by thinking of a tort as being a type of civil wrong. Each of the torts listed above has a special name. The tort that happens most often is called **negligence**.

Negligence means that someone was not careful enough and this person's **carelessness** hurt another person as a result. The person who is hurt is called the **injured person**.

When someone hurts you as a result of his or her actions, you need to consult a lawyer who specialises in the right area of tort. The lawyer will try to get you money from the careless person. This money is called 'compensation' or, more correctly, '**damages**'. Sometimes the lawyers can't agree on the amount of damages. When this happens, the injured person may decide **to sue** the person who has hurt them. Suing someone is a more informal way of saying starting proceedings against someone. The claim form will state the claimant's **allegations** against the defendant. An allegation is like an accusation – the claimant is stating that something happened, but the defendant has the opportunity to say this is not true. The reasons for going to court are called 'the **grounds**'. The grounds for an action in tort are that the defendant **committed** a tort.

Sometimes a lawyer who specialises in the tort of negligence makes an agreement with a client. The agreement is that if the client does not win the case then he or she does not have to pay for the lawyer's services. This is called a '**no win-no fee**' arrangement. It is allowed in the UK and the USA.

LIVEWORKSHEETS