

TOLES FOUNDATION EXAM PRACTICE

Exercise 1

Look at the sentences below. Each sentence contains a mistake. The mistake is either an incorrect word or a word that should not be there. Put a circle around the word. Do NOT circle more than one answer for each sentence. There is an example at the beginning (*).

Example

(*) In the United States they do not difference between two separate kinds of lawyer because all lawyers are known as attorneys.

- 1 When a student finishes his or her legal studies he or she has to make a two-year training contract with a law firm.
- 2 The law of tort says that everyone must to be careful and not harm other people.
- 3 I will start my training contract with the Taylor Wallis in September.
- 4 If we issue a claim against you we will ask for a very high damages.
- 5 He breached the contract and I will prosecute him in the civil court.

Exercise 2

Look at the article below. Read it and decide if the statements under it are true or false. Write your answers in the box below. There is an example at the beginning (*).

Sanjay Pritam is a partner with a law firm in Southampton in the south of England. Sanjay is a specialist in maritime law. He chose this area of law because of his family history. His father owns a ship. Sanjay's father worked on this ship for his whole life. Sanjay worked with him for two years and then he started his legal studies. Sanjay thinks this practical experience on a ship was very useful.

English law influences most of the law that governs international maritime cases. For this reason, lawyers from all over the world contact Sanjay's office to ask him for his opinion, which he gives by phone or email.

When maritime lawyers are speaking informally they divide cases into two categories. They call them 'dry' cases and 'wet' cases. Dry cases involve problems with shipping contracts and wet cases involve problems at sea, such as ships that have accidents. Most of the cases that Sanjay deals with cannot be negotiated and end in litigation.

Example

(*) Sanjay Pritam works in a family law practice.

- 1 Sanjay's father is also a lawyer.
- 2 Sanjay thinks it is good that he worked on a ship before he was a lawyer.
- 3 Sanjay usually travels to other countries to help lawyers who have questions about maritime law.
- 4 A maritime case involving a breach of contract is informally called a 'dry case'.
- 5 Most of Sanjay's cases go to court because the parties cannot agree upon a solution.

(*) FALSE	(1)	(2)	(3)	(4)	(5)
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Exercise 3

Here is a conversation between a lawyer and his client. The conversation is mixed up. Put the conversation in the correct order. Write your answers in the boxes numbered below. There is an example at the beginning (*), which is the start of the conversation.

- (*) Good Morning Mr Rodriguez. Thank you for coming to see me. I understand that you would like to issue a claim in the County Court?
- a** Three months is a long time. I agree that you should issue a claim. I will explain to you how it all works. The first thing that we must do is to complete a claim form and file it at the County Court.
- b** Yes, you will have to pay a fee. But if you win, the judge will usually order the defendant to pay back the fee. The next thing that happens after we file the claim is that the court will serve the claim form upon the defendant.
- c** Yes, that is correct. I think going to court is the only thing that I can do. I supply food to restaurants and cafés in Chatsworth. I have a contract with all of my customers. The contract states that a customer has 14 days to pay me from the date they receive a delivery. A customer who owns a café in town is three months' late in paying me. I would like to start proceedings against him.
- d** I see. What information do you need to complete the claim form?
- e** He has 14 days to respond. In this case I hope your customer agrees that your claim is correct and that he will pay the money he owes you when he receives the claim. That is the best thing that can happen.
- f** I need the name and address of your customer. When we file the claim your customer will be called the defendant. I also need the details of your claim. I need to know when the defendant received the delivery from you and when he was supposed to pay you. Please bring me a copy of the contract so that I can check the part of it that talks about payment. How much money does he owe you?
- g** And when he receives the claim how many days does he have to respond to it?
- h** £430. I can bring a copy of the contract to your office this afternoon. What happens when we file the claim? Do I have to pay a court fee?

(1) (*)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
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