

TOLES FOUNDATION PRE-TEST (Dựa trên HP.TAPLCB1)

Time: 60 minutes - Total: 10 points

SECTION 1: ODD ONE OUT (1 points)

Circle the word that does NOT belong in each group.

- | | | | |
|----------------------|------------------------|------------------|-----------------|
| 1. A. precedent | B. statute | C. custom | D. sovereignty |
| 2. A. common law | B. civil law | C. Islamic law | D. constitution |
| 3. A. legislature | B. executive | C. judicial | D. arbitration |
| 4. A. barrister | B. solicitor | C. notary | D. treaty |
| 5. A. academic stage | B. vocational training | C. treaty | D. legal ethics |
| 6. A. statute | B. decree | C. litigation | D. regulation |
| 7. A. plaintiff | B. tort | C. defendant | D. judge |
| 8. A. monarchy | B. democracy | C. oligarchy | D. sovereignty |
| 9. A. Democracy | B. Dictatorship | C. Decentralized | D. Monarchy |
| 10. A. conveyance | B. mortgage | C. tribunal | D. real estate |

SECTION 2: READ THE TEXT BELOW. THERE ARE 05 WORDS MISSING FROM THE TEXT. IN THE SPACES BELOW, GIVE THE MISSING WORDS. (1 POINTS)

Common law is the system of (1) j..... in which legal decisions are based on judicial precedents. The principles of common law started to be developed in England after the Norman Conquest in the 11th century. The circuit judges (2) a..... by the Norman kings travelled from place to place to administer justice and thus gradually developed law which was uniform through the whole country. The developed law was based on the doctrine of precedent which is still a central feature of modern common law systems.

The (3) d..... of precedent is a practice of making legal decisions by following the judicial precedents. A judicial precedent is a legal case establishing a principle that a court may need to adopt when deciding subsequent cases with similar facts. When a precedent establishes an important legal principle, or represents new or changed law on a particular issue, that precedent is often known as a (4)l..... decision.

Generally, decisions of higher courts are mandatory on lower courts within that system –

that is, the principle announced by a higher court must be followed by lower courts in later cases. Decisions of lower courts are not (5) b..... on higher courts, although from time to time a higher court will adopt the reasoning and conclusion of a lower court.

SECTION 3: READING COMPREHENSION (2 points)

Read the text and answer the questions 1-5. For questions 1-3, choose the best answer (A, B, C, or D).

Legal systems around the world vary based on historical, cultural, and religious influences, shaping how laws are created, interpreted, and applied. Common law systems, originating in England and adopted in countries like the United States and Australia, rely heavily on precedent—previous court decisions that guide future cases. Judges play a key role in developing the law through their rulings, making the system flexible and adaptable to new situations.

In contrast, civil law systems, prevalent in Europe, Latin America, and Vietnam, are based on codified statutes—comprehensive written codes that outline rules systematically. These codes, inspired by Roman law, emphasize legislation passed by parliaments, with judges primarily applying the existing code rather than creating new law. This approach ensures predictability and uniformity. Islamic law, or Sharia, is unique as it draws from religious sources like the Quran and Hadith (sayings of the Prophet Muhammad). Applied in countries such as Saudi Arabia and Iran, it integrates divine principles with human customs, covering both personal and criminal matters. While adaptable through interpretation by scholars, it prioritizes moral and ethical guidelines over secular codes. These systems highlight the diversity of global legal traditions, each balancing tradition, adaptability, and justice in different ways..

- 1. What is the main basis of common law systems?**
 - A. Codified statutes
 - B. Customs only
 - C. Religious texts
 - D. Precedent from court decisions
- 2. According to the text, civil law systems are inspired by:**
 - A. English traditions
 - B. Islamic principles
 - C. Roman law
 - D. American rulings
- 3. In Islamic law, the primary sources include:**
 - A. Quran and Hadith
 - B. Parliaments and judges
 - C. Precedent and codes
 - D. Secular guidelines
- 4. Which system is described as ensuring predictability and uniformity?**
 - A. Common law

- B. Civil law
 - C. Islamic law
 - D. All of the above
- 5. The text suggests that legal systems differ mainly due to:**
- A. Economic factors only
 - B. Historical, cultural, and religious influences
 - C. Modern technology
 - D. Political parties

SECTION 4: READING COMPREHENSION (2 points)

Read the text. Are statements 1-5 TRUE or FALSE?

In a democratic state, sovereignty rests with the people, meaning that the ultimate power to govern lies with the citizens, who elect representatives to exercise that power on their behalf. The government operates through three branches: the legislative, executive, and judicial branches. Each branch has specific responsibilities that contribute to the overall functioning of the government.

The legislative branch is responsible for creating laws, which are essential for maintaining order, protecting individual rights, and regulating societal interactions. The executive branch is tasked with carrying out or implementing these laws, ensuring that they are enforced throughout the country. The judicial branch plays the critical role of interpreting laws, determining their application in individual cases, and ensuring justice is served in line with the Constitution.

This system of governance is built upon the separation of powers, which divides authority among the three branches. This prevents any one branch from becoming too powerful and ensures that they work together, holding each other accountable. In addition, checks and balances further protect against the concentration of power by giving each branch the ability to limit or challenge the powers of the others. For instance, while the legislative branch creates laws, the executive can veto them, and the judiciary can declare them unconstitutional if they violate the Constitution or individual rights. This division and balance of power ensures that no branch or individual can dominate the governance of the state, thus maintaining fairness, transparency, and democratic integrity.

1. Sovereignty belongs to the government.
2. The executive branch makes laws.
3. The judiciary interprets laws.
4. Separation of powers prevents abuse of authority.
5. Checks and balances are irrelevant in this system.
6. Citizens directly implement laws through the executive branch.
7. The judiciary can overrule laws that contradict the Constitution.

8. Representatives elected by citizens hold ultimate governing power.
9. The legislative branch enforces laws nationwide.
10. Checks and balances allow branches to control each other's powers.

SECTION 5: LEGAL VOCABULARY (1 points)

Match terms (1-10) with definitions (A-J).

No	Terms	Definitions	Match
1	precedent	A. Supreme law of the land	1 -
2	sovereignty	B. Organized political community	2 -
3	common law	C. Previous court decision	3 -
4	constitution	D. Authority to govern	4 -
5	Civil law	E. Training for lawyers	5 -
6	state	F. System based on codes	6 -
7	Legal education	G. Alternative to court	7 -
8	treaty	H. binding international agreement	8 -
9	arbitration	I. System based on precedents	9 -
10	custom	J. Traditional practice as law	10 -

SECTION 6: GAP FILL (1 points)

Complete the text with words from the box. Complete the text using words from the box. There are 03 EXTRA words.

common, precedent, legislation, constitution, executive, judicial, regulations, civil, codified, sovereignty, arbitration, customs, separation, treaty, statutory, federal, parliament, Islamic, initial, vocational

In a (1)_____ law system, judges follow binding (2)_____ established by higher courts. The (3)_____ enacts (4)_____, while administrative bodies issue enforceable (5)_____. The (6)_____ branch implements laws, and the (7)_____ branch ensures their constitutionality. A nation's supreme (8)_____ reflects its (9)_____, often incorporating principles like the (10)_____ of powers. In (11)_____ law jurisdictions, comprehensive codes are (12)_____ to systematize statutes. International disputes may bypass

litigation through binding (13) _____. Historically, indigenous (14) _____ influenced tribal justice systems, and (15) _____ law integrates religious texts..

SECTION 7: SENTENCE REORDERING (1 points)

Reorder the lawyer-student conversation (1-8). Start with (AA).

(AA) Hello, I need advice about legal education.

- A. What are the main stages?*
- B. It starts with initial academic training.*
- C. Then vocational stage for practical skills.*
- D. We may need to study sources like constitution.*
- E. Yes, precedent is key in common law.*
- F. How about in Vietnam?*
- G. Focus on civil law codes.*
- H. Thank you. I'll review it.*

SECTION 8: LEGAL CATEGORIZATION (1 points)

Categorize the phrases into 3 sectors: Common law/ Civil Law/ Sources of Law.

1. To follow precedent
2. To codify statutes
3. To interpret constitution
4. To rely on customs
5. To train barristers
6. To enforce sovereignty
7. To study Islamic law
8. To sign treaty
9. To separate powers