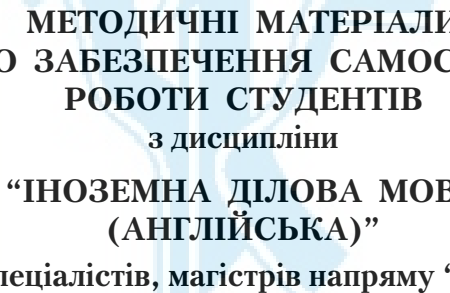


МІЖРЕГІОНАЛЬНА  
АКАДЕМІЯ УПРАВЛІННЯ ПЕРСОНАЛОМ



МАУП



**МЕТОДИЧНІ МАТЕРІАЛИ  
ЩОДО ЗАБЕЗПЕЧЕННЯ САМОСТІЙНОЇ  
РОБОТИ СТУДЕНТІВ  
з дисципліни  
“ІНОЗЕМНА ДІЛОВА МОВА  
(АНГЛІЙСЬКА)”  
(для спеціалістів, магістрів напрямку “Право”)**

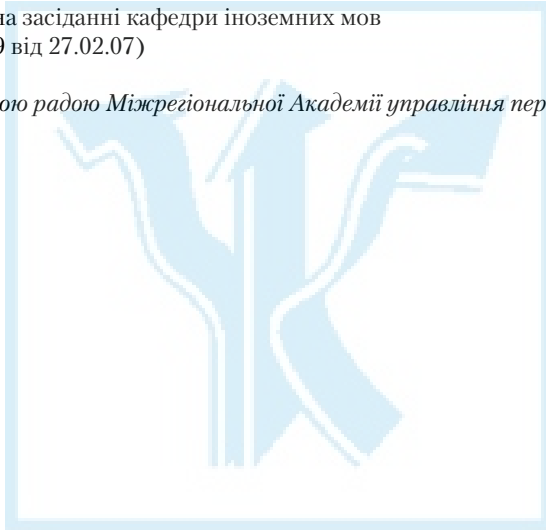
МАУП

Київ 2007

Підготовлено старшим викладачем кафедри іноземних мов *А. О. Ворначевим*

Затверджено на засіданні кафедри іноземних мов  
(протокол № 9 від 27.02.07)

*Схвалено Вченою радою Міжрегіональної Академії управління персоналом*



**МАУП**

**Ворначев А. О.** Методичні матеріали щодо забезпечення самостійної роботи студентів з дисципліни “Іноземна ділова мова (англійська)” (для спеціалістів, магістрів напрямку “Право”). — К.: МАУП, 2007. — 60 с.

Пропонована розробка містить пояснювальну записку, методичні матеріали щодо забезпечення самостійної роботи студентів в аудиторний та позааудиторний час, список літератури.

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2007

## ПОЯСНЮВАЛЬНА ЗАПИСКА

Сучасна вища освіта передбачає різні методи опанування знань, серед яких самоосвіта посідає одне з головних місць в активному розвитку фахівця, його творчих здібностей. Перехід від поточного до індивідуального навчання відбувається з урахуванням потреб і можливостей кожного студента. Тому крім лекційних і практичних занять важливою формою навчального процесу стає самостійна робота студентів.

**Мета** самостійної роботи студентів, які навчаються за напрямом “Право”, при вивченні дисципліни “Іноземна ділова мова” полягає в розширенні їх знань у галузі юридичної англійської мови, а також покращенні розуміння матеріалів галузевого спрямування з урахуванням лексичних, синтаксичних і граматичних особливостей їх використання у правовій практиці.

**Основні завдання** самостійної роботи студентів:

- підвищення ефективності навчання за рахунок додаткової системи вправ;
- забезпечення фонових знань, необхідних студенту для роботи з матеріалами іноземного походження;
- розвиток власне аналітичного мислення та активізація мовленнєвих умінь та навичок.

Організація позааудиторної самостійної роботи студентів полягає в необхідності широкого огляду тематики курсу з використанням основної та допоміжної літератури, осмислення теоретичного матеріалу, формуванні узагальнюючих висновків.

Оскільки самостійна робота повинна сприяти розвитку творчого потенціалу студентів та реалізації професійних навичок, завдання мають індивідуальний характер. Практикуються такі форми самостійної роботи, як виконання додаткових завдань та тестів, що закріплюють у студентів певний обсяг правової лексики; підготовка доповіді з певного проекту чи перекладу юридичних документів.

Викладач має привчати майбутніх спеціалістів напрямом “Право” працювати професійно, самостійно, швидко і якісно удосконалювати іноземну мову. Таким є соціальне замовлення суспільства системі освіти сьогодні. Воно продиктоване не лише повсякденними потребами в постійному підвищенні якості підготовки спеціалістів, а й більш глобальним соціальним завданням — привести стан освіти у

відповідність до нових цілей удосконалення суспільства, всебічного розвитку особистості.

Методичні рекомендації розраховані на 42 години практичних занять (аудиторна самостійна робота) і 87 годин самостійної роботи (позааудиторна самостійна робота) студентів 5-го курсу напрямку “Право”.

## ***МЕТОДИЧНІ МАТЕРІАЛИ ДЛЯ АУДИТОРНОЇ РОБОТИ***

Система вправ має забезпечити формування у свідомості студента: 1) відповідних фонових знань; 2) термінологічних еквівалентів з правової тематики; 3) відповідних знань стосовно використання граматичних часів; 4) здатність розуміти матеріал з юриспруденції та вміти застосовувати його у практиці.

### **Вправи для самостійної аудиторної роботи з дисципліни**

#### **Вправа 1. Прочитайте текст та складіть до нього десять запитань.**

Every business day, courts throughout the United States render decisions that together affect many thousands of people. Some affect only the parties to a particular legal action, but others adjudicate rights, benefits, and legal principles that have an impact on virtually all Americans. Inevitably, many Americans may welcome a given ruling while others — sometimes many others — disapprove. All, however, accept the legitimacy of these decisions, and of the courts' role as final interpreter of the law. There can be no more potent demonstration of the trust that Americans place in the rule of law and their confidence in the U. S. legal system.

The American legal system has several layers, more possibly than in most other nations. One reason is the division between federal and state law. To understand this, it helps to recall that the United States was founded not as one nation, but as a union of 13 colonies, each claiming independence from the British Crown. The Declaration of Independence (1776) thus spoke of “the good People of these Colonies” but also pronounced that “these United Colonies are, and of Right ought to be, FREE AND INDEPENDENT STATES.” The tension between one people and several states is a perennial theme in American legal history. As explained below, the U. S. Constitution (adopted 1787, ratified 1788) began a gradual and at times hotly contested shift of power and legal authority away from the states and toward the federal government. Still, even today states retain substantial authority. Any student of the American legal system must understand

how jurisdiction is apportioned between the federal government and the states.

**Вправа 2. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Кожне суспільство намагається встановити власні правила поведінки. 2. Верховний суд — це найвищий суд у Сполучених Штатах, до того ж єдиний суд, спеціально створений Конституцією. 3. Повноваження федеральних судів поширюються на цивільні справи, де йдеться про збитки та відшкодування, і на кримінальні справи, що підлягають федеральному законодавству. 4. До прийняття Конституції у США існувала система судів окремих штатів. 5. Державна зрада була і лишається в багатьох країнах злочином, який карається смертю. 6. За статтю 3 перший Конгрес поділив країну на округи, запровадивши федеральні суди в кожному окрузі. 7. Існує думка, що довгострокове чи довічне тюремне ув'язнення не має сенсу для так званих ідеологічних злочинців: зрадників, шпигунів та терористів. 8. Протягом століть страта призначалась за найрізноманітніші види злочинів. 9. У деяких країнах смертна кара вважається покаранням, без якого неможливо зупинити поширення наркотиків, ліквідувати політичний тероризм, економічну корупцію або викоринити подружню зраду. 10. Конгрес уповноважений створювати і ліквідувати федеральні суди, а також визначати кількість суддів у федеральній юридичній мережі.

**Вправа 3. З наведених у дужках прийменників виберіть прийнятний за змістом речень. (*at, in, of, to, from, as, during, Ø*).**

1. Every year many Ukrainian young people apply ... various higher education institutions.
2. My great wish is to enter ... The National Law Academy of Ukraine.
3. Bill enjoys ... his free time when he is out of work.
4. John tells ... me that they agree to do the interview though they are studying ... their exams at the moment.
5. I am not very ambitious but I'd like to be good ... all the legal subjects ... the Academy.
6. My elder brother graduated ... the Medical University last year and started his medical career ... a surgeon.
7. My close friend says ... us that they failed ... their first attempt and.

**Вправа 4. Поставте слова у кожному реченні у правильному порядку.**

Example. *He/ a/ local/ judge/ court/ in/ a/ is.* — *He is a judge in a local court.*

1. profession/ they/ are/ in/ legal.
2. my/ notary/ private/ a/ mother/ is.
3. cousins/ my/ are/ prosecutor's/ assistants.
4. head/ the/ court/ of/ a/ is/judge/ a.
5. second/ my/ name/ is/ Petrenko.
6. granddad/ are/ and/ retired/ grandma/ my.
7. an/ my/ is/ investigator/ brother.

**Вправа 5. Поставте запитання до слів, що виділені курсивом.**

Example. *Her aunt lives in London.* — *Where does her aunt live?*

1. My father works *in court*, he is a prosecutor. 2. My sister is a student, she studies *at the University of Hertfordshire*. 3. We usually read *periodicals* in the library. 4. My aunt teaches *Law*. 5. I play computer games *after classes*. 6. Her parents always give her *useful advice*. 7. He often visits *performances* with his fiancée.

**Вправа 6. Замість крапок поставте неозначені числівники (a) little, (a) few.**

1. I have ... money left, so I can't buy this coat. 2. I have ... information and ... evidence. 3. She makes ... mistakes in herspeech. 4. I have ... money, so we can go to the cinema. 5. That girl works too ..., that's why she knows nothing. 6. Let me tell you ... words about myself. 7. The hall is almost empty, there are ... people in it. 8. I'd like to say ... words about my journey.

**Вправа 7. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. У Великій Британії поліцейська служба фінансується центральним урядом та місцевою владою. 2. Грабіжник — це людина, яка краде щось у людини або з місця із застосуванням погроз або насилля. 3. Як правило, федеральні суди не приймають до розгляду справи, на які поширюється законодавство індивідуальних штатів. 4. Кожний поліцейський підрозділ має своїх спеціальних констеблів — добровольців, які працюють в поліції, при цьому їх робота безоплатна. Вони здійснюють зв'язок між поліцією та населенням. 5. Підтримка

громадського порядку та охорона власності в Англії вважалась справою самих громадян. Кожний мав змогу затримати правопорушника, привести його до мирового судді та висунути обвинувачення. 6. Закон захищає всіх громадян від тих, хто загрожує суспільству. 7. Вони слухають справи від озброєних пограбувань, викрадення людей з метою отримання викупу, поштового шахрайства до фальшування грошей, ухилення від сплати податків та державної зради. 8. Усі справи, що не слухаються у федеральних судах, належать до юрисдикції судів штатів

**Вправа 8. Поставте наступні речення у запитальній формі та дайте коротку відповідь.**

Example. *There are 26 universities in our city. — Are there 26 universities in our city? There aren't 26 universities in our city.*

1. There is no telephone in this room. 2. There is much snow in the street. 3. There are no lawyers in my family. 4. There are a lot of professors among our teachers. 5. There are few criminals in this district. 6. There are a lot of witnesses of the shoplifting. 7. There is much dirt on your shoes!

**Вправа 9. Вставте конструкцію *there is/ there are*.**

Example. *... a lot of documents in the drawer. — There are a lot of documents in the drawer.*

1. ... some chocolate and a piece of cake on this plate. 2. ... no fruit at home. 3. ... good news for you! 4. ... some money in my purse. 5. ... some useful information on the automatic machine. 6. ... some assistant professors in the committee. 7. What kind of books ... there on the table?

**Вправа 10. З наведених у дужках прийменників виберіть прийнятний за змістом речень (*with, in, on, by, of, to, for, along, Ø*).**

1. The portrait parle was devised ... Alphonse Bertillon.
2. An identi-kit may be transmitted by telegraph ... other agencies.
3. My neighbour is wanted ... armed robbery.
4. The reference to fingerprints as 'the prints from man's hands can be found ... the Bible.
5. The students of Law Academy of Ukraine are very interested ... the records.
6. What does he look like? — The victim was described as a black female ... a middle size with a pimped face and dyed hair.

7. The policemen were walking ... the central street of the town and watching ... the strangers very carefully.
8. That evening a wanted man armed ... a gun walked into Foxy's wine store and got away with \$3,000.
9. There was an expression of surprise ... his face.
10. The thief grabbed ... the rope, but missed and fell to his death.

**Вправа 11. Прочитайте текст та поставте до нього десять запитань.**

### **Common Law and Judicial Precedent**

The most obvious sources of American law are the statutes passed by Congress, as supplemented by administrative regulations. Sometimes these demarcate clearly the boundaries of legal and illegal conduct — the bank robbery example again — but no government can promulgate enough law to cover every situation. Fortunately, another body of legal principles and norms helps fill in the gaps, as explained below.

Where no statute or constitutional provision controls, both federal and state courts often look to the common law, a collection of judicial decisions, customs, and general principles that began centuries ago in England and continues to develop today. In many states, common law continues to hold an important role in contract disputes, as state legislatures have not seen fit to pass statutes covering every possible contractual contingency.

Courts adjudicate alleged violations of and disputes arising under the law. This often requires that they interpret the law. In doing so, courts consider themselves bound by how other courts of equal or superior rank have previously interpreted a law. This is known as the principle of "stare decisis," or simply precedent. It helps to ensure consistency and predictability. Litigants facing unfavorable precedent, or case law, try to distinguish the facts of their particular case from those that produced the earlier decisions.

Sometimes courts interpret the law differently. The Fifth Amendment to the Constitution, for instance, contains a clause that "[n]o person... shall be compelled in any criminal case to be a witness against himself." From time to time, cases arose where an individual would decline to answer a subpoena or otherwise testify on the grounds that his testimony might subject him to criminal prosecution — not in the United States but in another country. Would the self-incrimination clause apply here? The U.S. Court of Appeals for the Second Circuit ruled it did, but the Fourth



and Eleventh Circuits held that it did not. This effectively meant that the law differed depending where in the country a case arose!

Higher-level courts try to resolve these inconsistencies. The Supreme Court of the United States, for instance, often chooses to hear a case when its decision can resolve a division among the Circuit courts. The Supreme Court precedent will control, or apply to all the lower federal courts. In *United States v. Balsys*, 524 U. S. 666 (1998), the Supreme Court ruled that fear of foreign prosecution is beyond the scope of the Self-In-crimination Clause.

**Вправа 12. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Кожен заарештований чи затриманий повинен бути поінформований про причини його арешту чи затримання. 2. Кожен затриманий має право оскаржити в суді своє затримання. 3. Родичі заарештованої чи затриманої особи повинні бути поінформовані негайно про його чи її арешт. 4. Затримана чи арештована особа повинна бути звільнена одразу, якщо на це не було відповідного рішення суду. 5. Президент України складає присягу: “Я, (ім’я та прізвище), обраний за волею народу як Президент України, клянусь бути вірним Україні”. 6. Акти Президента України, видані в межах його повноважень, підписуються також Прем’єр-міністром України. 7. Письмові статuti, складені законодавчими органами, є основою для вирішення справ за системою цивільного права. 8. Суди, які розглядають справи по суті, що складаються з судді та присяжних, є основою піраміди судів.

**Вправа 13. Поставте запитання до виділених курсивом слів.**

Example. The deputies are discussing *the new bill*. – What are the deputies discussing?

1. The suspect is wearing *the red gown with white fur, red hat and gloves*. 2. They are discussing the details of the crime *in the office*. 3. The policemen are bringing the accused *out of the courtroom*. 4. The reporters are interviewing *the criminal*. 5. Mr. Wisdom is taking the suspect to *the police station*. 6. He is looking *rather strange*: prominent red nose, full lips, plump cheeks, massive chin, heavy beard.

**Вправа 14. Виберіть правильну форму дієслів (Present Simple/ Present Continuous).**

Example. *Listen, the judge (announces/ is announcing) the sentence. – Listen, the judge is announcing the sentence.*

1. I don't understand him, he (is demanding/ demands) two kilos of deer food. 2. Experts (examine/ are examining) the fingerprints. 3. Huge letters (attract/ are attracting) his attention: WANTED. 4. Tim (leaves/ is leaving) the house and suddenly (sees/ is seeing) the suspect right near the opposite house! 5. I (have/ am having) a better idea, really the best one! 6. The clerk (checks/ is checking) the copies of the documents.

**Вправа 15. Напишіть вищий та найвищий ступінь поданих прикметників.**

- a) white, great, active, fine, brave, deep, short, round, fair, pale, thin, full;
- b) hot, fat, bushy, big, easy, dry, dirty, silly, happy;
- c) old, far, good, bad, little, much, many;
- d) reliable, interesting, important, useful, efficient, difficult, applicable, certain, appropriate, ambiguous, relevant, consistent, satisfactory.

**Вправа 16. Поставте наступні речення в питальній та заперечній формі.**

Example. *I have already told you the whole story! – Have you already told me the whole story? – I have not told you the whole story yet!*

1. I have already read all titles. 2. I have already questioned three witnesses but I haven't got any useful information. 3. I have got some information about the suspect. 4. He has lived here all his life. 5. We have already arrested five suspects. 6. He has just disarmed him! 7. The police have found stolen things.

**Вправа 17. Поставте запитання до слів, що виділені курсивом.**

Example. The policeman hasn't told *the criminal* of his right to remain silent or to have a lawyer present during questioning. – *Who hasn't policeman told of his right to remain silent or to have a lawyer present during questioning?*

1. They have taken the suspect *to the police station*. 2. He has looked through *all articles* in the paper. 3. I have already discussed *the matter* with friends in the pub. 4. They *have just left* the house. 5. Mr. Wisdom has just

telephoned and informed of *another 2 suspects*. 6. He has just become a “*Neighbourhood Watch*” member.

**Вправа 18. З наведених у дужках виберіть прийнятний за змістом речень прийменників (*at, with, for, on, from, through, in, to, Ø*).**

1. People smuggling illegal goods usually like to pass ... customs in the middle of the queue.
2. The investigator arrived ... the station just in time to catch the train.
3. I'm just going to San Francisco International Airport but my answer depends ... when I'll have a flight tomorrow.
4. A strange woman entered ... the room and closed the window.
5. If it is your first trip you should apply ... Customs officers ... the necessary instructions.
6. Has the immigration officer put the stamp ... your passport?
7. When he arrived ... Kharkiv, he asked the way ... the National Law Academy.
8. When travelling be careful and comply ... the rules!
9. After you have collected your luggage ... the conveyor belt you need to go ... the Customs Hall.
10. The taxi fare ... Borispol ... Kyiv is high enough.

**Вправа 19. Подані речення поставте у питальній та заперечній формі.**

Example. *They have been listening to the instructions for a long time already.* – *Have they been listening to the instructions? They have not been listening to the instructions for a long time.*

1. They have been completing the entrance form for an hour already.
2. The Immigration Officer have been asking questions for half an hour already.
3. They have been flying for 2 hours and everybody has been nervous.
4. He has been telling me about the documents that I need to enter the UK for an hour.
5. She has been going through the Customs for 10 minutes.

**Вправа 20. Поставте запитання до виділених курсивом слів.**

Example. *The have been watching their behavior for a month.* – *How long have they been watching their behavior?*

1. The police have been preparing the description of *the man wanted*.
2. They have been working *at the law report* for 2 weeks already.
3. *The*

*Immigration Officer* has been examining my entry clearance documents for half an hour by now. 4. It's a long way from Heathrow to London, we have been going by the underground *for 30 minutes already*. 5. They have been looking through *my luggage* 5 minutes already.

**Вправа 21. Прочитайте ситуацію та запишіть її одним реченням за зразком.**

Example. *The rain started 2 hours ago. It's still raining now. — It has been raining for 2 hours.*

1. I started Civil Law classes in September. I'm still studying Law.  
2. Our father began to work as a judge 10 years ago. He is still working.  
3. The investigator started to question the criminal an hour ago. He is still doing it. 4. I began completing the entrance form half an hour ago. I am still writing. 5. Ann began looking for a job in the Procurator's Office 6 months ago. She is still looking now. 6. Years ago you started learning English in the UK. You still learn it.

**Вправа 22. Прочитайте текст та поставте до нього десять запитань.**

### **The role of state law in the Federal system**

The Constitution specifically forbade the states from adopting certain kinds of laws (entering into treaties with foreign nations, coining money). Also, the Article VI Supremacy Clause barred state laws that contradicted either the Constitution or federal law. Even so, large parts of the legal system remained under state control. The Constitution had carefully specified the areas where Congress might enact legislation. The Tenth Amendment to the Constitution (1791) made explicit that state law would control elsewhere: "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people."

There nonetheless remained considerable tension between the federal government and the states — over slavery, and ultimately over the right of a state to leave the federal union. The civil conflict of 1861–65 resolved both disputes. It also produced new restrictions on the state role within the legal system: Under the Fourteenth Amendment (1868), "No State shall... deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." This amendment greatly expanded the federal courts' ability to invalidate state laws. *Brown v. Board of Education* (1954), which

forbade racial segregation in the Arkansas state school system, relied upon this “equal protection clause.”

Beginning in the mid-20th century, a number of the trends outlined above — the rise of the administrative state, a more forceful and expansive judicial interpretation of due process and equal protection, and a similar expansion of Congress’ power to regulate commerce — combined to enhance the federal role within the legal system. Even so, much of that system remains within the state domain. While no state may deny a citizen any right guaranteed by the federal Constitution, many interpret their own constitutions as bestowing even more generous rights and privileges. State courts applying state law continue to decide most contractual disputes. The same is true of most criminal cases, and of civil tort actions. Family law, including such matters as marriage and divorce, is almost exclusively a state matter. For most Americans most of the time, the legal system means the police officers and courts of their own state, or of the various municipalities and other political subdivisions within that state.

**Вправа 23. Напишіть неправильні дієслова у формі *Past Indefinite*.**

put, choose, write, begin, grow, come, buy, bring, tell, wear, cut, teach, take, find, bind, sleep, stand, get, learn, know, send, see, hear, have, be, draw, break.

**Вправа 24. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

Чому у людей існують закони та правові системи? На одному рівні, закони — це тип правил, які регулюють поведінку між людьми. Ці закони є в усіх суспільних організаціях, таких як сім’я чи спортивний клуб.

На іншому рівні, закон — це склад правил та норм, які є в конституціях та законодавчій базі. Вони регулюють суспільство та поведінку його членів. Суди та законодавчі органи створюють закони, а поліція гарантує їх правозастосування. Судові органи відіграють важливу роль у кожній країні, хоча правові системи відрізняються від держави до держави. Однак єдине, що стосується всього світу, це те, що судовий позов є дорогим і потребує багато часу.

**Вправа 25.** Подані речення поставте у питальній та заперечній формі.

Example. *I applied for a visa a week ago.* — *Did I apply for a visa a week ago?* — *I didn't apply for a visa a week ago.*

1. I studied Criminal Law in the UK. 2. When I traveled to the UK I arrived at Heathrow. 3. A taxi from Heathrow cost me 40 pound. 4. I got permission to remain in the UK for 12 months. 5. Then I opened my luggage for the inspection. 6. I paid a charge for all types of entry documents.

**Вправа 26.** Поставте запитання до слів, виділених курсивом.

Example. They landed *at 9 o'clock this morning.* — *When did they land?*

1. I completed a special form at the nearest British Embassy. 2. His brother worked as an immigration officer last year. 3. I needed permission to enter the UK as a student. 4. He put a stamp in my passport a minute ago. 5. I complied with all immigration rules in order to complete my course of study.

**Вправа 27.** Перепишіть наступні речення, використовуючи *Past Indefinite*.

1. His father works at the British Embassy. 2. All my necessary documentation is easily available. 3. You have a right to ask for an interpreter. 4. I usually ask for advice to take the Red or Green channel. 5. It takes me 40 minutes to get to London from Heathrow by the underground. 6. A Skycap Porter usually helps me with my luggage.

**Вправа 28.** Поставте запитання до слів, виділених курсивом.

Example. The UK Visa web-site will tell you *the current information.* — *What will the UK Visa web-site tell you?*

1. Our friends will come to the airport at *7 p. m.* 2. Then you'll go to *the Customs Hall.* 3. All the documents will be *originals.* 4. The procedure will take *a lot of time.* 5. I'll go to the UK for the *purpose of study.* 6. They will produce all the documents *in time.*

**Вправа 29.** Виберіть правильну форму дієслів (*Present Simple/Future Simple*).

Example. *Don't leave the town until they (prepare/ will prepare) documents.* — *Don't leave the town until they prepare documents.*

1. If they (ask/ will ask) you to open your luggage, you will open, unpack and repack it. 2. If you (hold/ will hold) a visa, your passage through immigration will be easy. 3. If you (travel/ will travel) from Europe you will sometimes arrive at Gatwick. 4. If your husband (travels, will travel) with you the immigration officer will put a stamp in his passport too. 5. If you (get/ will get) permission to stay for a longer period of time the Immigration Officer will ask you to provide the evidence of permission. 6. If you (have/ will have) no items to declare you will go to the Green channel.

**Вправа 30.** З наведених у дужках прийменників виберіть прийнятний за змістом (*in, with, during, after, of, to, Ø*).

1. In Ukraine every year many people apply ... various higher education institutions.
2. This year I have entered ... The National Law Academy of Ukraine.
3. According ... the Constitution every young person has the right to education.
4. All the students ... my group are guaranteed ... employment.
5. Admission ... this University is given to young people who have finished secondary school and successfully passed the entrance exams.
6. Last month ... order ... work as a judge he passed an individual procedure ... graduating the Academy.
7. At that moment my close friend was doing his lessons ... the library because it provided him ... access ... legislation database.
8. These students were taking their entrance examinations ... five hours.

**Вправа 31.** Подані речення поставте у питальній та заперечній формі.

Example. *The investigator was preparing the materials of the case all day yesterday.* — *Was the investigator preparing the materials of the case all day yesterday? No, the investigator was not preparing the materials of the case all day yesterday.*

1. They were preparing documents for the report all yesterday evening.
2. Mary was participating in the conference yesterday noon, that's why she didn't take the receiver.
3. When I came into he was taking his entrance examination.
4. The dean was discussing that important problem with the

academic staff from 5 till 6 yesterday 5. When we ran into the hall he was reading the President's Decree.

**Вправа 32. Поставте запитання до виділених курсивом слів.**

Example. *They were discussing special agreements with state bodies from 5 till 7 yesterday.* — *What were they discussing from 5 till 7 yesterday?*

1. The man *was speaking on the phone* when somebody knocked at the front door. 2. They were examining the results of entrance examinations *for 2 hours yesterday morning*. 3. *The notary* was preparing necessary documents all day yesterday. 4. The speaker *was reading the President's Decree* when the Rector interrupted him. 5. They *were working with the computer all yesterday evening*. 6. They were smiling at each other *when they heard the voice '... diploma'*.

**Вправа 33. Запишіть, що ви робили.**

- |                                    |                                |
|------------------------------------|--------------------------------|
| 1) at 8 o'clock yesterday evening; | 4) at 5 o'clock last Saturday; |
| 2) at 10.15 yesterday morning;     | 5) at 4.30 this morning;       |
| 3) at 7.45 yesterday evening;      | 6) half an hour ago.           |

**Вправа 34. Порівняйте пари речень та прокоментуйте використання *Past Continuous* та *Past Simple*.**

1. I had dinner at 3 p. m. — I told you! I was having dinner from 3 till 4 p. m. yesterday.
2. I worked in the court last year. — I was working in the office from 5 till 6 p. m. yesterday.
3. I walked home after the meeting last night. — I was walking home when I met our dean.
4. The criminal took out a pistol and demanded: "Give me money". — The criminal was taking out his pistol when I heard a sound of the police car approaching.
5. I studied the documents, analyzed the details of the examination and counted 2,500 graduates that year. — I was studying the documents when I was interrupted by the telephone.

**Вправа 35. Подані речення поставте у питальній та заперечній формі.**

Example. *They will be signing the decision of the Cabinet of Ministers at 10 a. m. tomorrow.* — *Will they be signing the decision of the Cabinet of Ministers at 10 a. m. tomorrow?* — *They won't be signing the decision of the Cabinet of Ministers at 10 a. m. tomorrow.*



1. James will be coming to the hostel soon. 2. We will be discussing the problem of employment after graduation tomorrow morning. 3. The investigator will be questioning the suspect in an hour. 4. The students will be listening to the lecture to be ready for questions. 5. Will you be passing the National Law Academy when you are out? 6. This time next week I'll be sitting in the office and listening to the advocate's considerations. 7. Will you be using this information in your report?

**Вправа 36. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Вони будуть працювати над докладом з адміністративного права вже 5 годин поспіль, коли прийде батько. 2. Інспектор буде допитувати звинуваченого вже 2 години, коли головний слідчий прийде перевірити результат. 3. Лікар буде оглядати жертву вже годину до того, як оголосить діагноз про пошкодження. 4. Вона буде читати доповідь про систему матеріальних правил в Україні півгодини, коли ректор зайде до залу. 5. Він буде тяжко працювати вже 10 годин поспіль, коли офіцер прийде і звільнить його.

**Вправа 37. Поставте запитання до виділених курсивом слів.**

Example. In 5 minutes the judge will be announcing *the sentence*. — *What will the judge be announcing in 5 minutes?*

1. The Director of the Prosecutors' Training Institute will be discussing the results of the individual procedure *in his office*. 2. We all will be listening to *the Rectors speech*, it'll be rather interesting. 3. We will be having access to Ukrainian legislation database *in an hour*. 4. Members of the academic staff will be discussing *a new legal act next week*. 5. I will be taking *the entrance examination* in the evening's faculty building. 6. Where is he? — In 5 minutes he will be going home *to take his credit book*. 7. My parents will be meeting me *at the Dean's office*.

**Вправа 38. Прочитайте текст та поставте до нього десять запитань.**

### **The U.S. supreme court**

Supreme Court Justice Charles Evans Hughes wrote in *The Supreme Court of the United States* (1966) that the Court “is distinctly American in conception and function, and owes little to prior judicial institutions.” To understand what the framers of the Constitution envisioned for the Court, another American concept must be considered: the federal form of

government. The Founders provided for both a national government and state governments; the courts of the states were to be bound by federal laws. However, final interpretation of federal laws could not be left to a state court and certainly not to several state tribunals, whose judgments might disagree. Thus, the Supreme Court must interpret federal legislation. Another of the Founders' intentions was for the federal government to act directly upon individual citizens as well as upon the states.

Given the Supreme Court's importance to the U. S. system of government, it was perhaps inevitable that the Court would evoke great controversy. Charles Warren, a leading student of the Supreme Court, said in *The Supreme Court in United States History*. "Nothing in the Court's history is more striking than the fact that while its significant and necessary place in the Federal form of Government has always been recognized by thoughtful and patriotic men, nevertheless, no branch of the Government and no institution under the Constitution has sustained more continuous attack or reached its present position after more vigorous opposition."

George Washington, the first president of the United States, established two important traditions when he appointed the first Supreme Court justices. First, he began the practice of naming to the Court those with whom he was politically compatible. Washington, the only president ever to have an opportunity to appoint the entire federal judiciary, filled federal judgeships, without exception, with faithful members of the Federalist Party. Second, Washington's appointees offered roughly equal geographic representation on the federal courts. His first six appointees to the Supreme Court included three Northerners and three Southerners.

The Supreme Court met for the first time on Monday, February 1, 1790, in the Royal Exchange, a building located in the Wall Street section of New York City, and its first session lasted just 10 days. During this period the Court selected a clerk, chose a seal, and admitted several lawyers to practice before it in the future. There were, of course, no cases to be decided; the Court did not rule on a single case during its first three years. In spite of this insignificant and abbreviated beginning, Charles Warren wrote, "The New York and the Philadelphia newspapers described the proceedings of this first session of the Court more fully than any other event connected with the new government; and their accounts were reproduced in the leading papers of all the states."

**Вправа 39.** Поставте дієслова у дужках у правильній формі (*Future Simple, Present Continuous, Future Continuous*), щоб висловити майбутній час.

1. Don't phone me from 7 till 8. We (to discuss) all the details of the admission to the Academy. 2. If you need to contact the Dean he (to stay) in the office until 9. 3. You (to meet) the Prime Minister today? – Yes, certainly. 4. Tomorrow afternoon we are going to the Prosecutor's Training Institute. Thus at 3.30 we (to take) an entrance examination. 5. You (to threaten) him with the gun? – No, I am going to kill him! 6. Next year he (to become) a post-graduate student. 7. This year there (to be) 2,500 graduates of the National Law Academy. 8. After the graduating from the Academy I (to pass) an individual procedure to become a defense lawyer. 9. Notary public (to examine) the case carefully for a while and advice us on the right decision.

**Вправа 40.** Напишіть, що ви робитимете у найближчий час, використовуючи *Future Continuous*.

- 1) have dinner/in an hour;
- 2) go to the Academy/ soon;
- 3) watch the football match/ tonight;
- 4) wait for the attorney/ from 4 till 5 p. m.;
- 5) prepare for the test in Administrative Law/ tomorrow;
- 6) work at the necessary documents/ this afternoon;
- 7) leave the office/at 4.30 today.

**Вправа 41.** Замість крапок впишіть, де необхідно, артикль *the*.

1. It's getting late. Let's go ... home.
2. I'd like to read in ... I go to sleep.
3. I like travelling but there is no place like ... home.
4. What time do you usually start ... work?
5. If you want to get a degree, you have to study at ... university.
6. When I was young I hated ... school.
7. The judge decided to fine the man \$500 instead of sending him to ... prison.
8. She works as a cleaner at ... hospital.
9. You must hurry up, I don't want to be late for ... work.
10. When she leaves ... school, she wants to study law at ... university.

## Вправа 42. Впишіть подані слова.

Nature    such as    authority    penalties    crimes  
Rules    to accept    member    instances    law  
customs    to enforce    courts

The rules of social institutions tend to be more formal than \_\_\_\_\_, carrying precise \_\_\_\_\_ for those who break them. They are not enforceable by any political \_\_\_\_\_. Sports clubs, for instance, often have detailed \_\_\_\_\_ for their members. And if the \_\_\_\_\_ breaks a rule, the club may ask him to \_\_\_\_\_ the appropriate punishment or to leave the club. However, when governments make laws for their citizens, they use a system of \_\_\_\_\_ backed the power of the police to \_\_\_\_\_ these laws. Of course, there may be \_\_\_\_\_ where the law is not enforced against someone – \_\_\_\_\_ when young children commit \_\_\_\_\_ or in countries where there is so much political corruption that certain people are able to escape justice by using their money or influence. But the general \_\_\_\_\_ of the law is that it is enforced equally against all members of the nation.

## МЕТОДИЧНІ МАТЕРІАЛИ ДЛЯ ПОЗААУДИТОРНОЇ САМОСТІЙНОЇ РОБОТИ

### Вправа 1. Поставте запитання до виділених курсивом слів.

Example. This lawyer had won *100 cases* by the beginning of this year. – *How many cases had this lawyer won by the beginning of this year?*

1. He had studied Law *for 5 years* before he entered Law Academy.  
2. I had known the witness *for a long time* before she committed the crime.  
3. *Social changes* had already happened by 1920, when the country started to suffer new economic policy.  
4. The lawmaker had proven *the necessity of enforcing the law* by the time the President decided to take necessary measures.  
5. They had prohibited *the use of drugs* but a lot of people had died already.  
6. The new law limited the powers of government *which before had given them the right to use foreign bank accounts*.  
7. The functions of Law had changed by the time Lincoln became President.

**Вправа 2. Прочитайте ситуацію та запишіть речення, використовуючи слова у дужках:**

Example. *You went to the office last night. You arrived at the office late (the conference/ already/ begin).* – *The conference had already begun.*

1. The clerk came into the courtroom and I showed him the necessary document with judicial decision (I/ find/ the necessary document).  
2. They went to their home town after many years. The beliefs weren't the same as before (they/ change/ a lot).  
3. I offered Jones to read the report on legislature in Ukraine but he didn't want (he /just/ read/ all necessary information).  
4. The case was over. There was no the decision of the lower court in the list of documents (the Supreme Court/ to exclude/ it).

**Вправа 3. Виберіть правильну форму дієслова (*Past Perfect/ Past Simple*).**

Example. *The judges reached a decision after the (had discussed/ discussed) the case privately.* – *The judges reached a decision after they had discussed the case privately.*

1. They (had finished/ finished) the examination when the chief expert asked for the results.  
2. By the time the train reached the city, he (had received/ received) 5 calls informing him of robbery from the bank.  
3. When we came into the room, the last meeting of the Supreme Court (had already finished/ already finished).  
4. He (had accepted/ accepted) any possible penalty when the officer started to tell him of his rights.  
5. We (had already passed/ passed) through the Red channel when the immigration officer asked us to return.  
6. They (entered/ had entered) the UK and got permission to stay a stated length of time.

**Вправа 4. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1.           подасте документи на візу? 2. Коли ви приїдете до Об'єданого Королівства, імміграційний службовець поставить штамп у ваш паспорт. 3. Я впевнений, що Ваш приїзд до Великої Британії пройде легко. 4. Ви отримаєте дозвіл на перебування у країні на 6 місяців. 5. Це буде Ваша перша подорож до Британії? 6. Якщо Ви будете декларувати якісь речі, йдіть до червоного коридору!

**Вправа 5. Перепишіть речення, використовуючи *Future Perfect*.**

1. We had got the results of the expert examination by the end of the working day.  
2. The quality of individual life in matters of education

and welfare life had improved by the new decade. 3. The first period of discussion of a new law had finished by the end of last week. 4. After they had finished questioning all the witnesses, we came to the important conclusion. 5. They had prepared for the test before the bell rang. 6. They had found the escaped prisoner before the sunset. 7. The prosecutor had already finished his speech before we came into the hall.

**Вправа 6. Поставте дієслова, наведені у дужках, у правильній формі (*Future Indefinite/Future Perfect*).**

1. He (to receive) the judicial decision by tomorrow. 2. He (to receive) the judicial decision tomorrow. 3. They (to inform) him of the penalty by noon. 4. They (to inform) him of the penalty at 12. 5. You (to meet) the accused in court tomorrow. 6. You (to meet) the accused in court by the beginning of the hearing. 7. You (to take) your examination in Criminal Procedure next week. 8. By the 20<sup>th</sup> of January you (to pass) your examination in Criminal Procedure, I hope.

**Вправа 7. Перепишіть речення у *Past Perfect Continuous*.**

Example. *Mark has been preparing for his exam in Administrative Law for 3 hours. — After Mark had been preparing for his exam in Administrative Law for 3 hours, he decided to have a rest.*

1. He has been following a thief for an hour. 2. I have been writing a law report for half an hour. 3. They have been discussing the judge's decision the whole day. 4. A doctor has been examining the victim for 10 minutes. 5. They have been discussing a new substantive law for a week already. 6. They have been preparing the marriage contract the whole day already.

**Вправа 8. Перекладіть речення англійською, звертаючи увагу на термінологічну лексику.**

1. Під час судового процесу запрошують свідків та слухають їх показання. 2. Вони розглядають справи про банкрутство, податки, трудові відносини, громадянські права, громадські землі тощо. 3. Щорічно реєструються тисячі випадків шахрайства. 4. Присяжними засідателями не можуть бути особи, яких немає у списках виборців, яким не виповнилося 25 років, які мають не зняту або непогашену судимість, а також ті, що судом визнані недієздатними. 5. У районі реєструється багато квартирних крадіжок зі зломом. 6. Якщо компанія опротестує рішення суду, вона може подати апеляцію у федеральний суд загальної юрисдикції. 7. Присяжні винесли вирок

“невинний”. 8. За винятком округу Колумбія, судді повинні бути мешканцями того округу, де мають постійне місце роботи. 9. У більшості справ та позовів, що заслуховуються окружними судами, такі федеральні зловживання, як неналежна діяльність поштових служб та розкрадання федеральної власності.

**Вправа 9.** Подані речення поставте у питальній та заперечній формі.

Example. *You will have been keeping me in the cell for 25 hours by the time your boss comes. It's unlawful!— Will you have been keeping me in the cell for 25 hours by the time your boss comes? You will not have been keeping me in the cell for 25 hours by the time your boss comes.*

1. The meeting of the High Court will have been going on for about 2 hours by the time you come into the court room, it'll be too late! 2. A murderer will have been keeping victims for 24 hours by the time you start to plan of capture. They might die within this long time! 3. “You, stupid things, will have been looking for me for about 5 years by the next morning and still can't catch me!” 4. Detective Smart will have been questioning the accused for about 3 hours by the midday. 5. They will have been discussing the new law for 5 hours by 6 p. m.

**Вправа 10.** Поставте дієслова, подані у дужках, у правильній формі (*Future Perfect/ Future Perfect Continuous*).

Example. *By 7p. m. they (work) for 8 hours already. — By 7p. m. they will have been working for 8 hour already.*

1. I (finish) preparing my report in Criminal Law by the time you get home. 2. “By the end of next month I (be) in Winston prison for exactly three year”. 3. This meeting (probably/not/finish) until midnight. 4. How long (hold) you the position of the assistant prosecutor by the end of this year? 5. It's unbelievable! The accused (remain) silent for 3 days by this morning. 6. By the beginning of the year I (to finish) studying the history of all legal systems of the world.

**Вправа 11.** Прочитайте текст та поставте до нього десять запитань.

### **The Supreme Court as a Policy Maker**

The Supreme Court's role as a policy maker derives from the fact that it interprets the law. Public policy issues come before the Court in the form of legal disputes that must be resolved.

An excellent example may be found in the area of racial equality. In the late 1880s many states enacted laws requiring the separation of African Americans and whites in public facilities. In 1890, for instance, Louisiana enacted a law requiring separate but equal railroad accommodations for African Americans and whites. A challenge came two years later. Homer Plessy, who was one-eighth black, protested against the Louisiana law by refusing to move from a seat in the white car of a train traveling from New Orleans to Covington, Louisiana. Arrested and charged with violating the statute, Plessy contended that the law was unconstitutional. The U. S. Supreme Court, in *Plessy v. Ferguson* (1896), upheld the Louisiana statute. Thus the Court established the "separate-but-equal" policy that was to reign for about 60 years. During this period many states required that the races sit in different areas of buses, trains, terminals, and theaters; use different rest-rooms; and drink from different water fountains. African Americans were sometimes excluded from restaurants and public libraries. Perhaps most important, African American students often had to attend inferior schools.

Separation of the races in public schools was contested in the famous case *Brown v. Board of Education* (1954). Parents of African American schoolchildren claimed that state laws requiring or permitting segregation deprived them of equal protection of the laws under the Fourteenth Amendment. The Supreme Court ruled that separate educational facilities are inherently unequal and, therefore, segregation constitutes a denial of equal protection. In the *Brown* decision the Court laid to rest the separate-but-equal doctrine and established a policy of desegregated public schools.

In an average year the Court decides, with signed opinions, between 80 and 90 cases. Thousands of other cases are disposed of with less than the full treatment. Thus the Court deals at length with a very select set of policy issues that have varied throughout the Court's history. In a democracy, broad matters of public policy are presumed to be left to the elected representatives of the people — not to judicial appointees with life terms. Thus, in principle U. S. judges are not supposed to make policy. However, in practice judges cannot help but make policy to some extent.

The Supreme Court, however, differs from legislative and executive policy makers. Especially important is the fact that the Court has no self-starting device. The justices must wait for problems to be brought to them; there can be no judicial policy making if there is no litigation. The president and members of Congress have no such constraints. Moreover, even the most assertive Supreme Court is limited to some extent by the



actions of other policy makers, such as lower-court judges, Congress, and the president. The Court depends upon others to implement or carry out its decisions.

**Вправа 12. Поставте дієслова, подані у дужках, у правильній формі (*Future Perfect Continuous, Future Perfect, Future Continuous*).**

Example. *Don't worry! You (forget) all about this horrible situation by this time next year – You will have forgotten all about this horrible situation by this time next year!*

1. By Friday I (work) on this project for two weeks. 2. You (discuss) this matter for 2 hours already when the judge comes. 3. They (inspect) the place of murder for half a day when I call to inform the chief investigator. 4. The policemen (follow) the criminal for 2 hours by the moment the Prosecutor General wonders about the result. 5. The witnesses (present) their evidence in an hour. 6. They (select) the trial jury by the end of the week.

**Вправа 13. Використайте правильну форму дієслова у дужках (*Present Simple, Past Simple*):**

1. There (to be) no courts in ancient societies. 2. God's will (to reveal) in natural phenomena: rain, snow and wind. 3. Revenge (to be) a major component of early law. 4. After the Norman Conquest English courts (to begin) to take part in lawmaking. 5. Long ago chiefs (to rule) communities. 6. Robber (to be) a person who steals money from a person or place, especially by violence or threat. 7. Between 55 BC and AD 412 English people (to be) under Roman control, naturally they (to use) Roman law. 8. Roman Law, which (to evolve) in the 8<sup>th</sup> century BC, (to be) still a blend of custom and interpretation by magistrates of the will of the gods. 9. Common Law (to evolve) from the tribal and local laws in England. 10. It (to begin) with common customs, but over time it (to involve) the courts in lawmaking that (to be) responsive to changes in society. 11. In this way the Anglo-Norman rulers (to create) a system of centralized courts that (to operate) under a single set of laws that (to replace) the rules of earlier societies. 12. Napoleonic Code (to refer) to the body of French law, contained in five codes dealing with civil, commercial, and criminal law.

**Вправа 14. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Необхідна інформація містила імена, деталі подорожі та номер кредитної картки. 2. Ми зареєструвалися в поліції, оскільки я подоро-

жувала з дитиною. 3. Я йшла через зелений коридор митниці. 4. Вона дотримувалася всіх імміграційних правил, щоб закінчити курс навчання. 5. Я отримала дозвіл залишатися в країні 12 місяців. 6. Коли я прийшла до посольства, я заповнила спеціальну форму.

**Вправа 15. Використайте правильну форму дієслова у дужках (*Present, Past, Future Perfect/ Present, Past Perfect Continuous*).**

1. If the parties (to choose) a jury trial, it begins with the selection of jurors. 2. By the time we get to the place the court hearing (to finish). 3. He is a real criminal, he (to breach) the law twice already. 4. The investigator (to question) the victim for an hour already. 5. (to hear) you the news? John is accused of murder. 6. They (to discuss) the judge's decision the whole day. 7. He (to hear) just that his wife is accused of larceny. He can't believe it.

**Вправа 16. Виберіть правильну відповідь.**

1. Long ago each community ... its own law based on its own traditions and customs.

a) has      b) had      c) has had

2. Private law ... of the rules governing the relations between private persons or groups.

a) consist    b) consists    c) consisted

3. Property law ... the rules for how to own or pass on the property.

a) has included    b) includes    c) is including

4. Since long ago it ... the function of the police to enforce laws.

a) was      b) is      c) has been

5. They ... a man during a robbery.

a) had murdered    b) murdered    c) have murdered

6. The court reporter ... a report of the trial for 2 hours already.

a) has written    b) has been writing    c) is writing

7. He ... collecting the evidence when the chief inspector came to the place of crime.

a) has collected    b) was collecting    c) will be collecting.

**Вправа 17. Виправте помилки.**

1. For 2 hour the police is already preparing the description of the man wanted. 2. The accused of murder has escaped from Prinston prison 2 hours ago. 3. For several years now Barney is working for the FBI. 4. They have been examining the victim's clothes when the investigator came to

ask for the result. 5. The victim gets compensation for the injury after the trial meeting was over. 6. She just prepared the report on procedural laws. 7. By the time the police started to search for the evidence of Brown's guilt, poor woman has already avenged him cruelly.

**Вправа 18. Подані речення поставте у питальній та заперечній формі.**

Example. *The Supreme Court is divided into two branches: the High Court and the Court of Appeal. – Is the Supreme Court divided into two branches: the High Court and the Court of Appeal. – The Supreme Court is not divided into two branches: the High Court and the Court of Appeal.*

1. Ukraine's independence was declared in 1991. 2. The name Ukraine is connected with the word "Ukraine" which originally meant "borderland". 3. Ukraine is situated in south-eastern part of Central Europe. 4. The territory of Ukraine is mostly a plain, it is called steppes. 5. Main industrial enterprises are located in Kyiv, Kharkiv and Dnipropetrovsk. 6. The first task of the judge is to preside over the proceedings and see that order is maintained. 7. Admission to the academy is given to people who have successfully completed secondary education. 8. Kharkiv is noted for engineering expertise and machinery plants.

**Вправа 19. Напишіть речення у пасивному стані.**

Example. *The country – to head – by the President. – The country is headed by the President.*

1. Children – to teach – school. 2. After graduation students – to guarantee – employment. 3. Law – to generally find – in constitutions and legislation. 4. Formal legal rules usually – to distinguish – from other means of social control. 5. Law – not to make – completely by humans. 6. She – to suspect – murder. 7. The chairman – to elect – every year.

**Вправа 20. Напишіть речення у пасивному стані.**

Example. *The investigator left a suspect in the room. – A suspect was left in the room by the investigator.*

1. The officers wrote the report in a terrible hurry. 2. We know Donetsk for mining and metallurgy. 3. They widely use Russian in Ukraine. 4. A popular vote approved Ukraine's declaration of independence. 5. They established a Communist Government in 1918. 6. The president received

the delegation yesterday. 7. Everybody discussed the new law. 8. The policeman stopped the car. 9. The suspect demanded the victim's money.

**Вправа 21. Прочитайте текст та поставте дієслова, подані у дужках, у пасивному стані.**

### **Criminal Law vs Civil Law**

One category is the criminal law – the law which deals with crime. A case (to call) a prosecution. The case (to institute) by the prosecutor, who takes over the case from the police who have already decided to charge the accused with specific crimes. The civil law is much more wide-ranging. The civil law includes the law of contract and family law or intellectual property. If the case (to prove), the defendant normally pays the plaintiff damages.

**Вправа 22. Виберіть правильну форму дієслова (активну чи пасивну).**

Example. *In ancient societies revenge (based/ was based) on tribal custom. – In ancient societies revenge was based on tribal custom.*

1. A body of expert lawyers (is needed/ needed) to apply the law. 2. A case usually (presented/ is presented) by the prosecutor. 3. Common law (based/ is based) on the principle of deciding cases by reference to previous judicial decisions. 4. The world's largest manganese deposits (located/ are located) in south-central Ukraine. 5. The suspect (is described/ described) as a white male, medium height, slim, with a big, hooked nose. 6. In a minute he (disarmed/ was disarmed) and put into Mr. Wisdom's car. 7. Visa (will obtain/ will be obtained) tomorrow.

**Вправа 23. Напишіть речення у пасивному стані.**

Sarah Ford/ kidnapped/ yesterday. Threatening calls/ made/ before. Kidnappers/ given / 300,000\$. Sarah/ released. Police/ informed immediately. All areas/ searched. The suspect/ found. Sarah/ examined by the doctor at the police station. The accused/ convicted with kidnapping/ and /imprisoned.

**Вправа 24. Виберіть правильний прийменник з наведених у дужках згідно зі змістом речень. (*by, under, into, of, from, to, for, with, after*)**

1. Administratively Ukraine is divided ... 24 regions.
2. The President is elected ... five-year term.

3. All the laws in Ukraine are subject ... the Constitution, the main law of the country.
4. ... the Traffic law it is illegal to drive under influence of alcohol.
5. The constitutional composition of the Verkhona Rada consists ... 450 National Deputies of Ukraine.
6. The President appoints ... office and dismiss from it, ... the consent of the Verkhovna Rada of Ukraine.
7. What is the Cabinet of Ministers responsible ...?
8. The President of Ukraine may be removed ... the office by the Verkhovna Rada ... the procedure of impeachment, if he commits treason or other crime.

**Вправа 25. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. За підозрюваним доглянуть. 2. Його буде засуджено на п'ять років ув'язнення. 3. Її звинувачують у вбивстві. 4. Вони будуть покарані. 5. Його знайдуть та допитають. 6. Про цей закон багато говорять. 7. Воля Бога проявлялася у силах природи. 8. Якщо імміграційний службовець запідозрить щось, вас попросять відкрити багаж для інспекції.

**Вправа 26. Подані речення поставте у питальній та заперечній формі.**

Example. *The new Prime Minister will be appointed tomorrow. The candidate is being discussed now. — Is the candidate being discussed now? — No, the candidate is not being discussed now.*

1. The judge of the Supreme Court is being appointed at the moment. 2. The matter of the Crimea's budget is being considered by the members of the government. 3. The suspect was being observed for a minute, then he disappeared. 4. Somebody is walking behind us. 1 think we are being followed! 5. The victim is being examined now. 6. An agreement is being worked out. 7. A new building of the Parliament is being built.

**Вправа 27. Напишіть речення у пасивному стані.**

Example. *The police are making inquires now. — Inquires are being made by the police now.*

1. The Committee was examining the results of the meeting of the heads of the CIS all yesterday afternoon. 2. The investigator was examining

clothes when the expert arrived. 3. The Verkhovna Rada is passing the law. 4. The committee is discussing the date of the presidential election. 5. I was writing a law report all day yesterday. 6. They are spending a lot of money on weapons nowadays. 7. They are checking all information about the new article of the Constitution.

**Вправа 28. Розкрийте дужки, використовуючи правильну форму дієслова (*Present Continuous*/*Past Continuous*).**

Example. *He (to be questioned) at the moment I came in. — He was being questioned at the moment I came in.*

1. The new Tax bill (to be discussed) all day yesterday. 2. I didn't notice anything, but when 1 got a cassette 1 realized everything. Our conversation (to be recorded). 3. The decision of the Constitutional Court (to be discussed) and we heard loud voices. 4. She didn't realize anything, she (to be robbed) for 30 seconds! 5. Don't come in! The

**Вправа 29. Прочитайте текст та поставте до нього десять запитань.**

### **The Conference at the Supreme Court**

On Fridays preceding the two-week sittings the Court holds conferences; during sittings it holds conferences on Wednesday afternoon and all day Friday. At the Wednesday meeting the justices discuss the cases argued on Monday. At the Friday conference they discuss the cases that were argued on Tuesday and Wednesday, plus any other matters that need to be considered. The most important of these other matters are the certiorari petitions.

Prior to the Friday conference each justice is given a list of the cases that will be discussed. The conference begins at about 9:30 or 10:00 a. m. and runs until 5:30 or 6:00 p. m. As the justices enter the conference room they shake hands and take their seats around a rectangular table. They meet behind locked doors, and no official record is kept of the discussions. The chief justice presides over the conference and offers an opinion first in each case. The other justices follow in descending order of seniority.

A quorum for a decision on a case is six members; obtaining a quorum is seldom difficult. Cases are sometimes

decided by fewer than nine justices because of vacancies, illnesses, or non-participation resulting from possible conflicts of interest. Supreme Court decisions are made by a majority vote. In case of a tie the lower-court decision is upheld.

After a tentative decision has been reached in conference, the next step is to assign the Court's opinion to an individual justice. The chief justice, if voting with the majority, either writes the opinion or assigns it to another justice who voted with the majority. When the chief justice votes with the minority, the most senior justice in the majority makes the assignment.

After the conference the justice who will write the Court's opinion begins work on an initial draft. Other justices may work on the case by writing alternative opinions. The completed opinion is circulated to justices in both the majority and the minority groups. The writer seeks to persuade justices originally in the minority to change their votes, and to keep his or her majority group intact. A bargaining process occurs, and the wording of the opinion may be changed in order to satisfy other justices or obtain their support. A deep division in the Court makes it difficult to achieve a clear, coherent opinion and may even result in a shift in votes or in another justice's opinion becoming the Court's official ruling.

In most cases a single opinion does obtain majority support, although few rulings are unanimous. Those who disagree with the opinion of the Court are said to dissent. A dissent does not have to be accompanied by an opinion; in recent years, however, it usually has been. Whenever more than one justice dissents, each may write an opinion or all may join in a single opinion.

**Вправа 30. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Порухення законів про чистоту харчових продуктів, банківську справу та підроблення грошей розглядаються в окружних судах. 2. Україна є суверенна і незалежна, демократична, соціальна, правова держава. 3. На одному рівні, закони — це тип правил, які регулюють поведінку між людьми. Ці закони є в усіх суспільних організаціях, таких як сім'я чи спортивний клуб. На другому рівні, закон — це склад правил та норм, які є в конституціях та законодавчій базі. 4. Перестаньте звинувачувати всіх! 5. Президент України представляє державу в міжнародних відносинах. 6. Парламентський контроль за додержанням конституційних прав і свобод людини і громадянина здійснює Уповноважений Верховної Ради України з прав людини. 7. Затримана чи арештована особа повинна бути звільнена одразу, якщо на це не було відповідного рішення суду. 8. Кожному повнолітньому в нашій країні гарантується право голосувати. 9. Він вимагав, щоб йому надали можливість відшкодувати збитки. 10. Незнання за-

конів не звільняє від юридичної відповідальності. 11. Президент України може достроково припинити повноваження Верховної Ради.

**Вправа 31. Замість крапок поставте дієслова *can, may, must* чи *to have to*.**

1. ... you speak Spanish? – No, I ... 2. At what time... you come to the Academy? 3. .... I come in, sir? 4. You ... not smoke here. 5. .... take your lawbook? – I am afraid not. I need it. 6. I ... to help my friends with this report in Criminal Investigation, so I cannot go with you. 7. A formal law ... prohibit what is morally unacceptable.

**Вправа 32. Вставте подані слова в текст у правильній формі.**

(century, code, civil, legal, spread, efforts, wisdom, private, to adopt, to influence, to include)

There are two major systems of law which are ... in the Western world such as common law and civil law. Most English-speaking countries have a common law system. The term ... law has two different meanings. It may refer to civil or ... law, or to the system used by many continental European countries.

The civil law system is the older of the two. Its beginnings can be traced back to the law of the Romans. In the 6<sup>th</sup> ..., there were ... of the Emperor Justinian to accumulate ... and to compile a Code that ... all of great Roman laws. This code ... to those parts of Europe under Roman control. In the 19<sup>th</sup> century, Napoleon established a similar ..., which was later adopted to many European countries. For example, the Napoleonic Code also greatly ... the lawmakers of the Quebec Civil Code.

**Вправа 33. Напишіть речення у пасивному стані.**

Example. *The French civil-law codes have influenced the legal systems of North African and Middle Eastern countries. – The legal systems of North African and Middle Eastern countries have been influenced by the French civil-law codes.*

1. They have made the conclusion that it is necessary to develop strong legal institution. 2. Someone has stolen Mike's bicycle. 3. Have you heard the news? Somebody has shot the Prime Minister! 4. I am really shocked. I have lost my job, my wife has left me and my friend has betrayed me. 5. The doctor has already examined the victim. She has got a black eye and her leg was bleeding. 6. They have offered him a job at the Procurator's Office. 7. The Parliament has passed the important law.



**Вправа 34. Перепишіть речення, використовуючи пасивний стан.**

Example. *Special courts administer ecclesiastical law. — Ecclesiastical law is administered by special courts.*

1. The organizers will supply all relevant information about the meeting in advance. 2. The Act of Union united Great Britain with Ireland. 3. English Law has greatly influenced Scots law. 4. The English courts interpret Acts of Parliament according to fixed rules of precedent. 5. It is possible that the Verkhovna Rada will eventually codify much Ukrainian law. 6. Roman law has influenced many modern European legal systems. 7. The Treaty and Acts of Union of 1706 and 1707 established one parliament for Great Britain.

**Вправа 35. Прочитайте уривки та поставте їх у правильному порядку:**

**Election fever**

\_\_\_\_\_ The British Head of State is not a president; it is a king or queen who has little real power. One of the few important functions left to the Head of State is to make sure that the Head of Government, the Prime Minister, calls a general election within five years.

\_\_\_\_\_ In Britain for many years the contest has been between the Conservative Party on the right, and the Labour on the left. But there are now other major political parties in the centre: the Social Democrats and the Liberals. And of course, the centre parties hope to attract more votes from both conservatives and socialists.

\_\_\_\_\_ The PM listens to the advice of the cabinet ministers, and chooses a time when opinion is favourable. At last the date of the general election is announced and the voters, who must be over the age of 18, make choice. And as soon as it is all over, the politicians start talking about when the next election will be.

\_\_\_\_\_ Most British politicians spend a great deal of time discussing when the next general election will be. In the House of Commons, they talk about it all the time. Members of Parliament know that if they don't get enough votes they could be looking for a new job.

**Вправа 36. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Вашу інформацію щодо винності депутата зараз перевіряють. 2. Підозрюваного зараз допитують. 3. Будинок учора обшукували

цілий день, але нічого не знайшли. 4. Зараз проводиться засідання Верховної Ради. 5. Справу зараз слухають у суді. 6. Зараз розробляють порядок денний засідання Кабінету Міністрів. 7. Зараз беруть інтерв'ю у Прем'єр-міністра України. 8. Чому їх арештовують? Вони невинні.

### **Вправа 37. Виберіть правильну відповідь.**

1. The ministers of the Government ... by the Crown on the recommendation of the Prime Minister.  
a) are being appointed   b) have been appointed   c) are appointed
2. The work of the Government ... by the Lords and Commons.  
a) are examined   b) is examined   c) was being examined
3. Members of the Cabinet ... by the Prime Minister since long ago.  
a) are chosen   b) have been chosen   c) have been choosing
4. The House of Commons decides what taxes ... and how the money shall be spent.  
a) to be collected   b) must be collected   c) must to be collected
5. The results from each constituency are announced as soon as the votes...  
a) are counted   b) have been counted   c) are counting
6. The Conservative Party ... in the mid 19<sup>th</sup> century.  
a) is formed   b) has been formed   c) was formed
7. The speech which the Queen is reading out, ... by the Prime Minister.  
a) has been drawn up   b) was drawn up   c) was being drawn up

### **Вправа 38. Виправте помилки.**

1. The Parliament will passed a new tax bill by next week.
2. The Prime Minister was appoint by the President last week.
3. The common law offences have been codified by 1986.
4. Precedents have always used to settle new disputes and cases.
5. A new law is being discussing by the members of Parliament.
6. The law regarding pensions have been rejected.
7. The monarch have always performed an integrating role.

### **Вправа 39. Перепишіть речення за зразком.**

Example. *Work hard!*— *He told (asked) me to work hard.*

1. Stop talking on the phone! I am waiting for an important call!
2. Put hands on your neck!
3. Have a break for a moment!
4. Don't speak so loud! I can't hear the Speaker.
5. Don't make so many mistakes!
6. Keep some

money for a rainy day! 7. Tell him the truth! 8. Don't complain of your boss! 9. Follow that car!

**Вправа 40. Замініть речення на непряму мову.**

Example. *Are you busy?* — *She asked if I was busy.*

*Where are you going?* — *She asked where I was going.*

*When do you get up?* — *She asked when I got up.*

1. Do you work as a legal adviser or a prosecutor? 2. Has he presented the evidence? 3. Did he have a personal interest in the case? 4. What does the legislative process involve? 5. Where are the members of the House of Lords drawn from? 6. What are the chambers of the UK Parliament? 7. What is the highest court in the United Kingdom?

**Вправа 41. Перепишіть речення за зразком.**

Example. *I am very busy, (Frank)* — *Frank said he was very busy.*

1. The rule of law protects citizens from the state, (the legislator) 2. We are going to settle the dispute. (Philip). 3. John is suspected of murder! (Alfred). 4. Legal decisions are always based on firm cases, (the lawyer). 5. They went to the Procurator's Office. (Jerry). 6. He was giving evidence that moment. (Frank). 7. They work as notaries. (Kelly).

**Вправа 42. Перетворіть речення на непряму мову, починаючи з фрази: *I didn't know.***

Example. *There is no written constitution in the UK.* — *I didn't know that there was no written constitution in the UK.*

1. Laws in the UK can be passed by a simple majority. 2. The English legal system is based on common law. 3. Great Britain has been a nation that holds on tight to its traditions. 4. The Queen is responsible for appointing Bishops to the Church. 5. The Prime Minister's power is based on the loyalty of his party. 6. This famous barrister will represent James in court. 7. The main feature of common law has always been its foundation on case law.

**Вправа 43. Перепишіть речення, використовуючи непряму мову.**

Example. *The Prime Minister said, 'The role of Parliament has much changed over the past 10 years'.* — *The Prime Minister said that the role of Parliament had much changed over the past 10 years.*

1. The judge said, 'I have never faced such an awful mistake'. 2. The students said, 'The professor explained the legal and political system of

Great Britain properly'. 3. The policeman said, 'I saw them at the station'. 4. The postman said, 'I have brought you a recommended letter'. 5. Mary said, 'I studied Criminology at the Academy'. 6. His aunt said, 'Something terrible happened'.

**Вправа 44. Виберіть правильне слово.**

1. The Congressman *was satisfying/ satisfied* with the results of the election.
2. Are you *interesting/ interested* in politics?
3. They were *disappointing/ disappointed* with the Justice's decision.
4. It's sometimes *embarrassed/ embarrassing* when you have to ask people for money.
5. Why does he always look so *boring/ bored*? Is his work really so *bored/ boring*?
6. Most of the members of the House of Representatives had a really *terrifying/ terrified* experience. Afterwards everybody was very *shocking/ shocked*.
7. The explanation of an amendment to the Constitution was confused/ confusing.
8. Our aim is to create a *law- governing/ law-governed* state.
9. It's not *surprised/ surprising* that in almost all cases the winner of the popular vote is elected president.
10. The officials of the General Accounting Office have been working hard all day and now they are *exhausted/ exhausting*.

**Вправа 45. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Земля, її надра, атмосферне повітря, водні та інші природні ресурси, які знаходяться в межах території України, є об'єктами права власності Українського народу. 2. Нотаріат – система державних органів, що здійснює нотаріальні дії, які спрямовані на підтвердження і закріплення безспірних цивільних прав і фактів. 3. Він сказав, що королева Єлизавета II править з 1952 року. 4. Це право забезпечується наданням днів щорічного відпочинку, а також оплачуваної щорічної відпустки. 5. Єдиним органом законодавчої влади в Україні є парламент – Верховна Рада України. 6. Державна влада в Україні здійснюється на засадах її поділу на законодавчу, виконавчу та судову. 7. Вас можуть попросити відкрити багаж. 8. З цим не слід сперечатись: клієнти шукають високоякісних спеціалістів у галузі права.

9. Використання праці жінок і неповнолітніх на небезпечних для їхнього здоров'я роботах забороняється.

**Вправа 46. Перепишіть речення за зразком.**

Example. *We live in the city which was founded more than 1,500 years ago.* — *We live in the city founded more than 1,500 years ago.*

1. Money bills which are concerned with taxation are always introduced by the Commons. 2. The first ten amendments to the Constitution of the USA which is known as the Bill of Rights were adopted in 1791. 3. There are 91 district courts and special courts which all were established by the Congress of the USA. 4. English medieval law which is administered by courts reflected the “common” traditions and customs of the USA. 5. The common law is not based on the principle of deciding cases by reference to written statutes. 6. The civil law which is found in continental Europe can be contrasted to the common-law system. 7. The jury which is selected from local citizens applies the law to reach a verdict. 8. The interpretation of law which is made by appellate courts forms the precedents that govern future cases.

**Вправа 47. Перепишіть речення за зразком.**

Example. *It is important to have good friends.* — *Having good friends is very important.*

1. It's easy to learn how to read. 2. It's important to become computer literate. 3. Is it difficult to study Criminal Law? 4. It's important to have professional awareness. 5. It is interesting to learn about global economy. 6. It's important to maintain legality. 7. It's necessary to obtain team work skills.

**Вправа 48. Прочитайте текст та поставте до нього десять запитань.**

**Historical development of state courts**

No two states are exactly alike when it comes to the organization of courts. Each state is free to adopt any organizational scheme it chooses, create as many courts as it wishes, name those courts whatever it pleases, and establish their jurisdiction as it sees fit. Thus, the organization of state courts does not necessarily resemble the clear-cut, three-tier system found at the federal level. For instance, in the federal system the trial courts are called district courts and the appellate tribunals are known as circuit

courts. However, in well over a dozen states the circuit courts are trial courts. Several other states use the term superior court for their major trial courts. Perhaps the most bewildering situation is found in New York, where the major trial courts are known as supreme courts.

Although confusion surrounds the organization of state courts, no doubt exists about their importance. Because statutory law is more extensive in the states than at the federal level, covering everything from the most basic personal relationships to the state's most important public policies the state courts handle a wide variety of cases, and the number of cases litigated annually in the state courts far exceeds those decided in the federal tribunals.

#### The Colonial Period

During the colonial period, political power was concentrated in the hands of the governor appointed by the king of England. Because the governors performed executive, legislative, and judicial functions, an elaborate court system was not necessary.

The lowest level of the colonial judiciary consisted of local judges called justices of the peace or magistrates. They were appointed by the colony's governor. At the next level in the system were the county courts, the general trial courts for the colonies. Appeals from all courts were taken to the highest level — the governor and his council. Grand and petit juries were also introduced during this period and remain prominent features of the state judicial systems.

By the early 18th century the legal profession had begun to change. Lawyers trained in the English Inns of Court became more numerous, and as a consequence colonial court procedures were slowly replaced by more sophisticated English common law.

#### **Вправа 49. Дайте відповідь на запитання, використовуючи герундій.**

1. What is the best way for training investigator skills? 2. What is the best way for gaining as much knowledge as possible in Criminal Law? 3. Learning a foreign language is necessary to become a good lawyer, isn't it? 4. Maintaining public order is the task of law-enforcement bodies, isn't it? 5. Everyone has the right to a good standard of living sufficient for him and his family hasn't he? 6. After finishing school your choice was obvious, wasn't it? 7. You should start asking yourself now, what you must do to become a good lawyer, shouldn't you?

**Вправа 50. Складіть ввічливі форми запитань, використовуючи конструкцію *stop/start + gerund*.**

Example. *to make that terrible noise* — *Would you please stop making that terrible noise?*

To type those legal documents; to lie the lawyer; to chatter about the case; to listen to the President; to use the dictionary; to go to those meetings; to use the phone so much; to trust her.

**Вправа 51. Висловіть своє ставлення, використовуючи структуру *to be worth + gerund*.**

Example. *to read the book*. — *The book is (not) worth reading*.

1) to discuss his speech at the meeting; 2) to study to become a prospective lawyer; 3) to repeat an investigatory experiment; 4) to develop your self-management skills; 5) to be computer literate; 6) to go to the police and tell everything ourselves; 7) to interrupt the speaker.

**Вправа 52. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Вона сказала, що Парламент вже затвердив новий закон. 2. Слідчий департамент повідомив, що злочинця спіймали. 3. Юрист сказав, що прецеденти використовуються для вирішення нових спорів. 4. Газета повідомила, що докладаються певні зусилля, щоб покращити зв'язок з молоддю щодо попередження злочинності. 5. Він сказав, що королева Єлизавета II править з 1952 року. 6. Він запитав, яка гілка влади відповідальна за дотримання та застосування законів. 7. Студент поцікавився, які екзамени здають адвокати.

**Вправа 53. Напишіть речення, використовуючи конструкцію *need + gerund*.**

Example. *To paint the window*. — *The window needs painting*.

1. My jacket, to clean. 2. This difficult problem, to think about carefully. 3. The door, to repair. 4. The information, to check. 5. The documents, to analyze. 6. The evidence, to examine. 7. The report, to rewrite.

**Вправа 54. Напишіть речення за зразком (використайте дієслово *to excuse*).**

Example. *to interrupt* — *Excuse my interrupting*.

To come late; to tell all the story to mother; to give so much trouble; to cause your trouble; not to call you on Sunday; to remind you of your

promise; to remind of your debt; not to be present at the court hearing; to forget our arrangements to meet.

**Вправа 55. Вставте подані слова в текст у відповідній формі.**

An offer, an agreement, damages, loss, contract, acceptance, terms, to consider, compensation, a court, a breach, a seller, goods, to enforce, party, to reject, sale, addition, consideration, to sue, plaintiff.

English law textbooks often describe a contract as ... which made between two or more ... and which is binding in law. The parties must agree to contract on certain ...

When ... is deciding if a contract has been made, it must consider the following principles. One principle of English ... law is that there must be offer and ... An advertisement to sell a car, and I telephone the advertiser and agree to buy it, the seller is not obliged to sell it to me. This is because the law ... that the real ... is when I contact ... asking to buy the car. The seller may then decide whether to accept or ... my offer. This is the reason that a store doesn't to have to sell you ... it displays for ... . And there is no ... of contract.

So another principle is that there is no valid contract if one of the parties did not intend to be legally bound.

What is valuable consideration? The principle behind this phrase is that the law will not ... an empty promise.

But once the court decides that there has been a breach of contract, it must the judge how the party must compensate the other party. The usual award is ... – monetary ... . In... to financial ... a ... sometimes tries to... for mental distress caused by the breach of contract. Such claims are less successful in Britain than in the USA, except for holiday contracts.

**Вправа 56. Заповніть пропуски часткою *to*, де необхідно.**

1. Let him ... help you with your work at the case. 2. He would rather die than ... betray his friends. 3. Have you ever heard him ... break the law? 4. She seems ... know a great deal about public law. 5. Let them ... come as soon as possible. 6. Have you enough information ... to sue for compensation?

**Вправа 57. Перекладіть речення українською й встановіть функцію інфінітива.**

1. It is the duty of the Government to maintain law and order.  
2. Laws tell people what they must do and what they must not do.



3. The members of the jury have only to decide the questions of fact. 4. A witness box is a place where a witness stands to give evidence in a court of law. 5. It's wrong to blame the seller for his refusal to sue for the price: the goods turned out to be shoddy. 6. The problem was too complicated to solve it within 2 hours. 7. The plaintiff was satisfied to have been paid damages.

**Вправа 58. Прочитайте текст та поставте до нього десять запитань.**

### **Trial Courts of Limited Jurisdiction**

Some states have moved in the direction of a unified court system, whereas others still operate with a bewildering complex of courts with overlapping jurisdiction. The state courts may be divided into four general categories or levels: trial courts of limited jurisdiction, trial courts of general jurisdiction, intermediate appellate courts, and courts of last resort.

Trial courts of limited jurisdiction handle the bulk of litigation in the United States each year and constitute about 90 percent of all courts. They have a variety of names: justice of the peace courts, magistrate courts, municipal courts, city courts, county courts, juvenile courts, domestic relations courts, and metropolitan courts, to name the more common ones.

The jurisdiction of these courts is limited to minor cases. In criminal matters, for example, state courts deal with three levels of violations: infractions (the least serious), misdemeanors (more serious), and felonies (the most serious). Trial courts of limited jurisdiction handle infractions and misdemeanors. They may impose only limited fines (usually no more than \$1,000) and jail sentences (generally no more than one year). In civil cases these courts are usually limited to disputes under a certain amount, such as \$500. In addition, these types of courts are often limited to certain kinds of matters: traffic violations, domestic relations, or cases involving juveniles, for example.

Another difference from trial courts of general jurisdiction is that in many instances these limited courts are not courts of record. Since their proceedings are not recorded, appeals of their decisions usually go to a trial court of general jurisdiction for what is known as a trial "de novo" (new trial). Yet another distinguishing characteristic of trial courts of limited jurisdiction is that the presiding judges of such courts are often not required to have any formal legal training.

Many of these courts suffer from a lack of resources. Often, they have no permanent courtroom, meeting instead in grocery stores, restaurants, or private homes. Clerks are frequently not available to keep adequate records. The results are informal proceedings and the processing of cases on a mass basis. Full-fledged trials are rare and cases are disposed of quickly.

Finally, trial courts of limited jurisdiction are used in some states to handle preliminary matters in felony criminal cases. They often hold arraignments, set bail, appoint attorneys for indigent defendants, and conduct preliminary examinations. The case is then transferred to a trial court of general jurisdiction for such matters as hearing pleas, holding trials, and sentencing.

**Вправа 59. Перекладіть речення, звертаючи увагу на *Objective* та *Subjective Infinitive Constructions*.**

**A.** 1. I heard the door of the court hall open. 2. Do you expect the jury to believe that you are innocent? 3. Everybody expected this crime to be justifiable. 4. I saw the public meet that verdict with satisfaction. 5. A local authority prefers the child to remain at home under supervision. 6. The court allowed Mr. X. to remain at home. 7. He is believed to be the fairest judge in our town. 8. They want him to be charged for the second time, but it's prohibited by the law. 9. I hate you to say such terrible things.

**B.** 1. The information proved to be wrong. 2. The girl is considered to be in need of protection. 3. The young offender was seen to be working very hard. 4. He is expected to be honest during the trial. 5. He is known to earn money by writing law reports. 6. The court is unlikely to give a different sentence. 7. Three people are reported to have been injured in the accident.

**Вправа 60. Замість крапок у тексті поставте прийнятні слова та фрази.**

bigamy	civil	Classes	Community
countries	crimes	Criminal law	Felony
Fine	forgery	Laws	life imprisonment
misdemeanour	offences	punishment	Person
Prison	state	Term	Treason

**Crime**

Crime violates the laws of a community, ... or nation. It is punishable in accordance with these ... "The definition of crime varies according to time

and place, but the laws of most ... consider as crimes such ... as arson, ... burglary, ..., murder, and ... Not all offences against the law are ... The laws that set down the punishments for crimes form the ... This law defines as crimes those offences considered most harmful to the ... On the other hand, a ... may wrong someone else in some other way that offends the ... law.

The common law recognizes three ... of crime: treason, ..., and misdemeanour. Death or ... is the usual ... for treason. Laws in the United States, for example, define a felony as a crime that is punishable by a ... of one year or more in a state or federal ... A person who commits a ... may be punished by a ... or a jail term of less than one year.

**Вправа 61. Виберіть правильну відповідь.**

1. Roman law is a system of laws ... in the 8<sup>th</sup> century BC.  
a) evolved   b) evolving   c) to evolve
2. Authority is the control ... from a community's system of rules:  
a) to result   b) resulting   c) resulted
3. The civil law includes cases ... to family, property and contracts:  
a) relating   b) related   c) to be related
4. Family law includes the laws ... marriage, divorce and welfare of children:  
a) governed by   b) governing   c) to govern
5. We can't believe him ... the offer.  
a) to revoke   b) revoking   c) to have revoked
6. I suspect him ... this computer program.  
a) of copying   b) to copy   c) copying
7. They sold the original work for low price, ... the original creator without a chance to get economic reward.  
a) to leave   b) leaving   c) by leaving

**Вправа 62. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Ви повинні наполегливо вчитися, щоб стати спеціалістом у галузі права. 2. Я мав чекати на неї у прокуратурі. 3. Чекайте, я повинен порадити всі голоси "за". 4. Вони повинні проаналізувати всі засоби застосування нового закону. 5. Місцеві органи влади Криму повинні обиратися кожні чотири роки. 6. Вищий суд повинен розглядати всі апеляції.

**Вправа 63. Вставте подані слова у текст у відповідній формі.**

Scientific, fingerprints, to set up, forensic, subsequently, to record, identification, skin, ridge, examination, patterns, scene, to transmit, evidence, to arrest, specimen.

**Fingerprints**

Very many books and... papers have been published on the subject of ..., and the reference to “the prints from man’s hand” can even be found in the Bible.

The study of the application of fingerprints for useful ... purposes was... in the latter part of the 17<sup>th</sup> century when, in 1684, the anatomist Doctor N. Grew published a paper on the subject which he illustrated with drawings of various fingerprints ... . About the same period, in Italy, Prof. Malpigni was investigating the functions of the ... .

A method of classifying and research in this field was initiated by Sir Francis Galton and Henry Faulds independently at the end of the 19<sup>th</sup> century.

Each day, the fingerprints of people who have been sentenced to a term of imprisonment, and those who have been ... and charged with other than the most minor offences, are ... to New Scotland Yard for processing.

One of the main tasks of the National Fingerprints Office is to establish whether the person has a previous record. Scenes of serious crime are examined for fingerprints by Senior Identification Officers. The function of these officers is to detect and to ... any finger or palm mark (or the arrangement of... patterns) which an offender may have left at the scene. They also retrieve ... clues, e. g. a ... of blood, shoe or tissue marks, which are then forwarded to the Forensic laboratory for microscopic ...

One of the cases involving the use of fingerprints ... was in 1905, when a thumb print left on a cash box at the... of a murder in Deptford of shopkeepers Mr. and Mrs. Farrow, was identified as belonging to Alfred Stratton, one of two brothers. As a result they were jointly charged with the crime and ... hanged.

**Вправа 64. Замість крапок поставте прийнятні за змістом слова у тексті.**

Theft, pleaded, fingerprints, found, cell, evidence, arrest, oath, investigate, sentence, charge, detained, fine, court, magistrate, handcuff, witnesses.

## An Arrest

A policeman was sent to (a)\_\_\_ the disappearance of some property from a hotel. When he arrived, he found that the hotel staff had caught a boy in one of the rooms with a camera and some cash. When the policeman tried to (b)\_\_\_ the boy, he became violent and the policeman had to (c)\_\_\_ him. At the police station the boy could not give a satisfactory explanation for his actions and the police decided to (d)\_\_\_ him with the (e)\_\_\_ of the camera and cash. They took his (f)\_\_\_, locked him in a (g)\_\_\_, and (h)\_\_\_ him overnight. The next morning he appeared in (i)\_\_\_ before the (j).

**Вправа 65. З наведених у дужках прийменників виберіть прийнятний за змістом речень (*in, of to, on, with, for* ∅).**

1. The Roman system of military forces remained ... effect until the collapse of the Roman Empire.
2. Most policemen have to resort ... using weapon when apprehending criminals.
3. In the 17<sup>th</sup> century the French police organization consisted ... 40 inspectors and paid informants.
4. A demand ... a more effective police force caused the establishment of London Metropolitan Police.
5. Police systems of Australia, India, and Canada were established in 19<sup>th</sup> century and based ... the British model.
6. They had no free time as they were involved ... politics.
7. The British police system had great influence ... the police systems of other countries.
8. He supplied the criminals ... weapon.

**Вправа 66. З наведених у дужках прийменників виберіть прийнятний за змістом речень (*on, of, for, with, by, ∅*).**

1. In 2004 ten new countries joined ... the European Union.
2. The decisions ... all matters of joint interest are always made at European level.
3. Initially the EU consisted ... 6 countries.
4. The European Union dealt ... trade and economy in early years.
5. The Court of Auditors is responsible ... controlling lawful management of the EU budget.
6. The specific role of the Court of Justice is ensuring compliance ... the law.

7. The five EU institutions are flanked ... the European Economic and Social Committee, the Committee of the Regions, the European Central Bank, the European Ombudsman, the European Investment Bank.

**Вправа 67. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Юридична відповідальність особи має індивідуальний характер. 2. В Україні визнається і діє принцип верховенства права. 3. Кожен затриманий має право оскаржити в суді своє затримання. 4. Якщо імміграційний службовець запідозрить щось, вас попросять відкрити багаж для інспекції. 5. Газета повідомила, що докладаються певні зусилля, щоб покращити зв'язок з молоддю щодо попередження злочинності. 6. Здається, вона багато знає з цивільного права. 7. Правовий порядок в Україні ґрунтується на засадах, відповідно до яких ніхто не може бути примушений робити те, що не передбачено законодавством. 8. Його буде засуджено на п'ять років ув'язнення. 9. Вона сказала, що Парламент вже затвердив новий закон. 10. Президент України є главою держави і виступає від її імені.

**Вправа 68. Прочитайте текст та заповніть пропуски поданими словами.**

To amend; to adopt; institutions; nationally; sessions politically; Secretariat; General; Brussels; a term.

The European Parliament is one of the EU ... Members of the European Parliament (MEPs) are drawn from member states of the EU but group themselves ... rather than ...

The European Parliament holds its ... in Strasbourg, but its ... is in Luxembourg and its committees meet in Brussels. The elected Parliament serves a ... of five years, after which elections are held.

The European Parliament's power and influence derive from its power to ..., and subsequently to ... or reject, the EU's budget.

**Вправа 69. Прочитайте текст та заповніть пропуски поданими словами.**

Motive against weapon officer evidence victim booklet Crown Prosecutor decision crime principles factors violence.

### **The Prosecution Process**

After the police have investigated a ... and passed papers to the CPS, one of the lawyers – called a ... – carefully reviews the papers to decide

whether or not to go ahead with the case. The prosecutor's ... is based on the two tests set out in the Code for Crown Prosecutors.

The code is a ... which sets out the general ... which prosecutors must apply when they decide whether to continue a case.

The two tests set out in the Code are as follows:

Is there enough ...? Is it "in the public interest" for us to prosecute? This means that the prosecutor must think carefully about the ... for and against a prosecution. For example, a prosecution is likely to be needed if:

- a ... was used or ... was threatened during an offence;
- the ... for the offence was any form of discrimination;
- the offence was committed ... a person serving the public such as a police...

Crown Prosecutors must always think carefully about the interest of a ... of a crime. This is an important factor when prosecutors decide whether the public interest lies.

**Вправа 70. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Коли я увійшов до класу, студенти обговорювали відмінність між публічним і приватним правом вже 10 хвилин. 2. Коли Джон закінчив університет, його брат працював суддею вже 2 роки. 3. Коли Пуаро дізнався про вбивство, поліція розслідувала цю справу вже 2 тижні. 4. Він допитував звинуваченого вже годину, коли інший слідчий повідомив про другу крадіжку майна. 5. Моя мати викладала кримінальне право в академії 5 років, коли батько запропонував поїхати з міста.

**Вправа 71. Зіставте синоніми й зверніть увагу на відмінність в їх значенні:**

Word	Synonym
to execute	proponent
Revenge	life imprisonment
Supporter	death penalty
Punishment	penalty
capital punishment	to carry out
long-term imprisonment	vengeance
Harsh	severe
Kind	benign

**Вправа 72. Поставте наведені слова та фрази у відповідні місця в тексті, звертаючи увагу на їх форми.**

To be imposed; innocent; community service; to reduce; to vary imprisonment corporal punishment; to be released; fine suspended; to abolish; to deter; death penalty; harsh.

There are several kinds of punishment available to court. In civil cases the most common punishment is ... .

For criminal offences fines are also often used when the offense is not a serious one and when the offender has not been in trouble before. Another kind of punishment is available in some countries is ... .

This requires the offender to certain amount of unpaid work, usually for a social institution such as hospital. For more serious crimes the usual punishment is ... .

Some prison sentences are ...: the offender is not sent to prison if keeps out of trouble for a fixed period of time, but if he does offend again both suspended sentence and any new one will ... The length of sentences ... from a few days to a lifetime. However, a life sentence may allow the prisoner ... after a suitably long period if a review (parole) board agrees his detention no longer serves a purpose. In some countries, such as the Netherlands, living conditions in prison fairly good because it is felt that deprivation of liberty is punishment in itself and should so ... that it ... the possibility of the re-educating and reforming himself. In other countries, conditions are rather bad. Britain and the USA are trying to solve the shortage of space by allowing private companies to open prisons.

In some countries there is also ... (physical). In Saudi Arabia theft and possession of alcohol may be punished by cutting off the offender's hand or foot. They believe that it deters others from committing such crimes.

The ultimate penalty is death. But many countries have ... it or ceased to use the ... because the innocent people can be executed by mistake.

**Вправа 73. Прочитайте текст та поставте до нього десять запитань.**

### **Development of the Legal Profession**

During the colonial period in America (1607–1776), there were no law schools to train those interested in the legal profession. Some young men went to England for their education and attended the Inns of Court. The Inns were not formal law schools, but were part of the English legal culture and allowed students to become familiar with English law.



Those who aspired to the law during this period generally performed a clerkship or apprenticeship with an established lawyer.

After the American Revolution (1775–83), the number of lawyers increased rapidly, because neither legal education nor admission to the bar was very strict. The apprenticeship method continued to be the most popular way to receive legal training, but law schools began to come into existence. The first law schools grew out of law offices that specialized in training clerks or apprentices. The earliest such school was the Litchfield School in Connecticut, founded in 1784. This school, which taught by the lecture method, placed primary emphasis on commercial law. Eventually, a few colleges began to teach law as part of their general curriculum, and in 1817 an independent law school was established at Harvard University.

During the second half of the 19th century, the number of law schools increased dramatically, from 15 schools in 1850 to 102 in 1900. The law schools of that time and those of today have two major differences. First, law schools then did not usually require any previous college work. Second, in 1850 the standard law school curriculum could be completed in one year. Later in the 1800s many law schools instituted two-year programs.

In 1870 major changes began at Harvard that were to have a lasting impact on legal training. Harvard instituted stiffer entrance requirements; a student who did not have a college degree was required to pass an entrance test. The law school course was increased to two years in 1871 and to three years in 1876. Also, students were required to pass first-year final examinations before proceeding to the second-year courses.

In the 20th century, the number of people wanting to study law increased dramatically. By the 1960s the number of applicants to law schools had grown so large that nearly all schools became more selective. At the same time, in response to social pressure and litigation, many law schools began actively recruiting female and minority applicants.

Also by the 1960s, the curriculum in some law schools had been expanded to include social concerns such as civil rights law and law-and-poverty issues. International law courses also became available.

A more recent trend in law schools is an emphasis on the use of computers for everything from registration to classroom instruction to accessing court forms to student services. Also noteworthy is that more and more law schools are offering courses or special programs in intellectual property law, a field of specialization that has grown considerably in recent years. Finally, the increasing use of advertising by lawyers has had a profound impact on the legal profession.

**Вправа 74. Перекладіть наступні речення англійською, звертаючи увагу на термінологічну лексику.**

1. Державний бюджет України затверджується щорічно Верховною Радою України на період з 1 січня по 31 грудня, а за особливих обставин – на інший період. 2. Громадяни мають рівні конституційні права і свободи та є рівними перед законом. 3. Нотаріусом може бути громадянин України, який має вищу юридичну освіту, пройшов стажування протягом 6 місяців, склав кваліфікаційний іспит та одержав свідоцтво про право займатися нотаріальною діяльністю. 4. Президент США має право відхилити проект. 5. Кожен має право на працю, що включає можливість заробляти собі на життя працею. 6. Президент України може бути усунений з поста Верховною Радою України в порядку імпідменту в разі вчинення ним державної зради або іншого злочину. 7. Права і свободи людини захищаються судом. 8. Кожен заарештований чи затриманий повинен бути поінформований про причини його арешту чи затримання.

**Вправа 75. Розташуйте параграфи статті у правильному порядку.**

\_\_\_\_\_ Many also believe that it deters others from committing such crimes.

\_\_\_\_\_ The ultimate penalty is death (capital punishment).

It is carried out by hanging (Kenya, for example); electrocution, gassing or lethal injection (U. S.); beheading or stoning (Saudi Arabia); or s-hooting (China). Most countries still have a death penalty, 35 (including almost every European nation) have abolished it; 18 retain it only for exceptional crimes such as wartime offences; and 27 no longer carry out executions even when a death sentence has been passed.

\_\_\_\_\_ A further argument is that, should a mistake be made, it is too late to rectify it once the execution has taken place. In 1987, two academics published a study showing that 23 innocent people had been executed in the USA.

\_\_\_\_\_ Opponents argue that execution is cruel and civilized. Capital punishment involved not only the pain of dying but also the mental anguish of waiting, sometimes for years, to know if and when the sentence will be carried out.

\_\_\_\_\_ As the debate about capital punishment continues, the phenomenon of death row increases. In 1991, no one was executed in Japan, but three people were sentenced to death, bringing the total number

on death to row to fifty. Sakae Menda lived under sentence of death for 33 years before obtaining a retrial and being found not guilty.

\_\_\_\_\_ Research has shown that capital punishment is used inconsistently. For example, in South America, black murderers are far more likely to be sentenced to death than whites.

**Вправа 76. Поставте подані слова у відповідні місця.**

Detective plain clothes jury warders coroner verdict solicitor trial inquest death penalty.

- (a) If you want legal advice in Britain, you go to a \_\_\_\_.
- (b) At the end of the \_\_\_\_, the judge ordered the twelve men and women of the \_\_\_\_ to retire and consider their \_\_\_\_, guilty or not guilty.
- (c) Men or women who look after prisoners in prison are called prison officers or \_\_\_\_.
- (d) If a person dies in unusual circumstances, an \_\_\_\_ is held at a special court, and the “judge” is called a \_\_\_\_.
- (e) A policeman who investigates serious crime is called a \_\_\_\_ . He wears \_\_\_\_ not uniform.
- (f) In some countries murderers are executed but other countries have abolished the \_\_\_\_.

**Вправа 77. Заповніть пропуски словами та перекладіть текст.**

Accused; court; judge; legislature; panel; trial; acquit; cross-examination; jurors; list; sentence; witnesses; civil suits; fault; jury; money; swear; counsel; guilty; legal disputes; officer; testimony.

**Trial by Jury**

A jury is a selected group of laymen that hears the ... in ... and decides the facts. A courtroom trial in which a ... decides the facts is called a ... by jury.

Before each ... term, a jury commissioner or another public ... prepares a panel, or large initial ... of qualified jurors. For each trial, ... are selected by lot from this ... . Before the trial begins, the jurors ... to decide the facts fairly. They hear the ... given by witnesses for both parties, including ... . Then ... for each side sum up, or summarize the case, and the ... explains the applicable law in his instructions to the jury.

In ... for financial damages, the jury must decide who is at ... and must determine the amount of ... to be paid. In criminal cases, the jury must decide whether or not the ... is guilty “beyond reasonable doubt”, and then

either return a verdict of guilty, or ... the defendant by a verdict of not guilty. If the verdict is ... the judge imposes the ... , or punishment, within limits that have been fixed by the ... .

**Вправа 78. З наведених у дужках прийменників виберіть прийнятний за змістом речення (*in, of, to, on, with, before*).**

1. "... accordance... our main principal we don't publish pornography and don't get mixed in politics" – said the general director.
2. ... addition ... the results of the previous mayoral election were annulled.
3. Referring ... your letter, we wish to inform you that we have received the invitation to the conference.
4. A lawyer should act ... strict conformity ... the Constitution.
5. Who was responsible for bringing the action ... the Court.
6. The terms of contract impose an obligation ... the both parties.
7. The book was first published ... an official journal 10 years ago.

**Вправа 79. З наведених у дужках прийменників виберіть прийнятний за змістом речення (*into, to, of, by*).**

1. What does the word 'right' refer ... .
2. What is the moral argument in favour ... mercy killing?
3. The ECHR came ... force in 1953.
4. 'Human rights' also extends ... some economic and social entitlements.
5. An automaton is a member of an army rather than a citizen belonging ... a community.
6. The term 'human rights' is limited ... the freedoms people have from unjustified coercion by state authorities, isn't it?
7. They held free election ... secret ballot.
8. There are areas of personal freedom which shouldn't be violated ... state authorities.

**Вправа 80. З наведених у дужках прийменників виберіть прийнятний за змістом речення (*in, from, to, before, under, on, against*).**

1. There is no currently protection of gays and lesbians ... discrimination in the UK. It was an attempt to ensure that individuals had protection ... such abuses in future.
2. Because there is no general right ... privacy in UK law, it has been protected indirectly in certain ways.

3. Which article in the ECHR provides the prohibition ... torture or degrading treatment?
4. In most situations, all persons who are parties to a crime are liable ... the same punishment. –What kind of violations can Member State be liable ... the Court of Human Rights?
5. Who took a case ... the European Court of Human Rights?
6. This provision is contrary ... the previous Protocol.
7. The British Council uses its expertise in education to bring human rights issues to a wide audience, including those who might otherwise be excluded ... access to human rights and justice.
8. Are you going to participate ... making draft version of the legal document?
9. I am sure that the decision of the Court will be ... the affirmative.
10. This decision was made ... Art. 12 of the ECHR.

**Вправа 81. Прочитайте текст та поставте до нього десять запитань.**

### **Government Attorneys in the Judicial Process**

Government attorneys work at all levels of the judicial process, from trial Courts to the highest state and federal appellate courts.

Each federal judicial district has one U. S. attorney and one or more assistant U. S. attorneys. They are responsible for prosecuting defendants in criminal cases in the federal district courts and for defending the United States when it is sued in a federal trial court.

U. S. attorneys are appointed by the president and confirmed by the Senate. Nominees must reside in the district to which they are appointed and must be lawyers. They serve a formal term of four years but can be reappointed indefinitely or removed at the president's discretion. The assistant U. S. attorneys are formally appointed by the U. S. attorney general although in practice they are chosen by the U. S. attorney for the district who forwards the selection to the attorney general for ratification. Assistant U. S. attorneys may be fired by the attorney general.

In their role as prosecutors, U.S. attorneys have considerable discretion in deciding which criminal cases to prosecute. They also have the authority to determine which civil cases to try to settle out of court and which ones to take to trial. U. S. attorneys, therefore, are in a very good position to influence the federal district court's docket. Also, because they engage in

more litigation in the district courts than anyone else, the U. S. attorneys and their staffs are vital participants in policy making in the federal trial courts.

Those who prosecute persons accused of violating state criminal statutes are commonly known as district attorneys. In most states they are elected county officials; however, in a few states they are appointed. The district attorney's office usually employs a number of assistants who do most of the actual trial work. Most of these assistant district attorneys are recent graduates of law school, who gain valuable trial experience in these positions. Many later enter private practice, often as criminal defense attorneys. Others will seek to become district attorneys or judges after a few years.

The district attorney's office has a great deal of discretion in the handling of cases. Given budget and personnel constraints, not all cases can be afforded the same amount of time and attention. Therefore, some cases are dismissed, others are not prosecuted, and still others are prosecuted vigorously in court. Most cases, however, are subject to plea bargaining. This means that the district attorney's office agrees to accept the defendant's plea of guilty to a reduced charge or to drop some charges against the defendant in exchange for pleas of guilty to others.

**Вправа 82. Зіставте дієслова у стовпчику А з іменниками у стовпчику В.**

A	B
to authenticate	Complaints
to draw up	legal advice
to attest	legal assistance
to give	Signature
to provide	Seal
to certify	Deed
to verify	judicial proceeding
to adjust (to smth.)	Wills
to take notes of	Gifts
to exercise	Functions

**Вправа 83.** Зіставте синоніми та зверніть увагу на відмінність в їх значенні.

Word	Synonym
Impartial	Requirements
to verify	Unbiased
by means of	Deed
Sphere	to authenticate
Legitimate	Licit
to perform	by virtue of
to attest	judicial proceeding
Litigation	Office
Position	Field
Demands	to certify
Transaction	to exercise

**Вправа 84.** З наведених у дужках применників виберіть прийнятний за змістом речення (*to, through, about, into, from, on*)

1. In legal systems that derived ... the Roman law, advocate is used as a technical term.
2. A lawyer can apply the law ... different cases.
3. Can a lawyer bring ... the settlement of a case without trial?
4. A lawyer can settle a case without trial ... negotiation or compromise.
5. In the UK lawyers are divided ... barristers and solicitors.
6. Nonprofessional counselors are employed by business firms and give advice ... various legal matters.
7. In Germany attorneys are restricted ... practice in specific territories.

**Вправа 85.** Доповніть речення поданими словами.

Unwritten, trade, union, essentials, govern, individual, affair.

1. Constitutional law is the body of rules, doctrines, and practices that \_\_\_\_\_ the operation of political communities.
2. In the broadest sense a constitution is a body of rules governing the of an organized group.

3. A parliament, a church congregation, a social club, or a \_\_\_\_\_ may operate under the terms of a formal written document labelled constitution.

4. Constitutions may be written or \_\_\_\_\_; they may be complex or simple; they may provide for vastly different patterns of governance.

5. The theory of the rights of the \_\_\_\_\_ was a potent factor in reshaping the constitutions of Western states in the 17th, 18th, and 19th centuries.

6. The American idea of stating in an orderly, comprehensive document the \_\_\_\_\_ of the rules that must guide the operations of government became popular very quickly.

**Вправа 86. Прочитайте текст та поставте до нього десять запитань.**

### **The Nature and substance of Crime**

An act is not automatically a crime because it is hurtful or sinful. An action constitutes a true crime only if it specifically violates a criminal statute duly enacted by Congress, a state legislature, or some other public authority. A crime, then, is an offense against the state punishable by fine, imprisonment, or death. A crime is a violation of obligations due the community as a whole and can be punished only by the state. The sanctions of imprisonment and death cannot be imposed by a civil court or in a civil action (although a fine may be a civil or a criminal penalty).

In the United States most crimes constitute sins of commission, such as aggravated assault or embezzlement; a few consist of sins of omission, such as failing to stop and render aid after a traffic accident or failing to file an income tax return. The state considers some crimes serious, such as murder and treason, and this seriousness is reflected in the corresponding punishments, such as life imprisonment or the death penalty. The state considers others crimes only mildly reprehensible, such as double parking or disturbing the peace, and consequently punishments of a light fine or a night in the local jail are akin to an official slap on the wrist.

Some crimes, such as kidnapping or rape, constitute actions that virtually all citizens consider outside the sphere of acceptable human conduct, whereas other crimes constitute actions about which opinion would be divided. For example, an 1897 Michigan statute makes it illegal to curse in front of a child, and a Nebraska law forbids bingo games at church suppers. Other criminal statutes are plainly silly: In Wisconsin it is illegal to



sing in a bar, and in Louisiana it is forbidden to appear drunk at a meeting of a literary society.

The most serious crimes in the United States are felonies. In a majority of the states a felony is any offense for which the penalty may be death (in states that allow it) or imprisonment in the penitentiary (a federal or state prison); all other offenses are misdemeanors or infractions. In other states, and under federal law, a felony is an offense for which the penalty may be death or imprisonment for a year or more. Thus, felonies are distinguished in some states according to the place where the punishment occurs; in some states and according to the federal government, the length of the sentence is the key factor. Examples of felonies include murder, forcible rape, and armed robbery.

Misdemeanors are regarded as petty crimes by the state, and their punishment usually consists of confinement in a city or county jail for less than a year. Public drunkenness, small-time gambling, and vagrancy are common examples of misdemeanor offenses. Some states have a third category of offense known as infractions. Often they include minor traffic offenses, such as parking violations, and the penalty is usually a small fine. Fines may also be part of the penalty for misdemeanors and felonies.

### ***РЕКОМЕНДОВАНІ ТЕМИ ДЛЯ ДОПОВІДЕЙ І РЕФЕРАТІВ***

1. Check what the law in your country says about employment and equal opportunities. How do these affect disabled people? Write a brief report.
2. Research some advertisements on TV or magazines. Can you find any which use thought-provoking or socially challenging images? List the kinds of discrimination the advertisements try to make the public aware of.
3. Have you ever seen a contract, such as a marriage contract or a contract of employment? Who signs them and what happens if the contracts are broken? Where can you find examples of contracts to study? Try looking on the Internet, or at your local Citizens Advice office. Research and make a short report on your findings.
4. Prepare a business letter to a law expert asking him or her to explain license agreement in simple terms. Make specific reference to the points you do not understand, such as the arrangements for arbitration.

5. You discover that a colleague at work has been involved in a telephone crime – she has opened an account in a false name and is selling calls to other office workers. Write a letter to your boss explaining what has been going on, and how you discovered it.
6. Write a report for your colleagues at work warning them of the dangers of electronic commerce. Describe different crimes you have read about.
7. Imagine you have a fixed contract of 35 hours a week to work, but your employer expects you to work overtime nearly every week. Complain! Prepare a set of notes you could refer to whilst holding a face-to-face conversation, or make notes that you could include in the letter you might write.
8. List the minimum safety measures you think a factory should have. Decide what duties the management should have, and what protection should be provided by state law.
9. Being a lawyer is regarded as one of the best professions in many countries. Think about what the different areas of specialization are, and which you would choose, or have chosen, and why. Make notes under the headings: choice of specialization, number of years of training, income expectations, responsibilities, kinds of clients, need for foreign languages, likely challenges and opportunities.
10. Imagine you are a family solicitor. Give advice to someone who asks your professional opinion about a financial matter. Your client has asked you whether she should invest money she has inherited in the stock market or place it in bank. Explain that you feel she should consult a financial expert first. Invite her to discuss any tax implications with her tax adviser.
11. “My word is my bond” used to be a guarantee of trust and honest trading between people, so that no written contract was needed. Is this still true today? Who would you trust on the Internet? How can you check on a business or individual? Make notes to discuss.
12. Imagine you are a buyer of fruit for a large restaurant. The last order you received was rotten and you lost business as a result. After leaving several messages on the phone, a week has passed without any apology or explanation from the supplier. You decide to write a letter of complaint. What details should you include in your letter? What proof can you offer that the fruit was rotten?

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