

UNIVERSITAS KRISTEN WIRA WACANA SUMBA

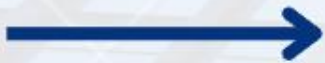
WEEK 4

SOLICITORS, BARRISTERS, AND LAWYERS

LECTURER

SALMON PANDARANGGA, S.S., M.TESOL

ENGLISH FOR LAW



Review

In most countries, there are two main areas of legal systems.

1. Criminal law

- It punishes acts against a person or property
- The State prosecutes criminal e.g. murder, theft, assault

2. Civil law

- It concerns the rights and duties of individuals and companies
- Individual starts a claim in the civil court e.g. contract disputes, family law

Vocabulary

employees (karyawan/pegawai)	contract (kontrak)	a matter (sebuah masalah)	criminal lawyer (pengacara criminal)
a will (sebuah surat wasiat)	company (perusahaan)	sign (tanda tangan)	civil lawyer (pengacara perdata)
police station (kantor polisi)	criminal (kriminal)	possessions (kepemilikan)	document (dokumen)
stole (to steal) (mencuri)	civil (sipil)	own (memiliki)	delivery company (perusahaan pengiriman)

Present continuous tense

Present continuous tense describes actions happening or are in progress at the moment of speaking or around the current time.

Pattern of present continuous tense

Subject + To be (am/is/are)+ V-ing

- I am pleading a case.
- He is working for a legal service
- The solicitors are practicing in many areas of law

Solicitor, barrister, attorney, and lawyer

- Lawyer is general job title for legal profession who practices law. Lawyer can be solicitor, barrister, and attorney.
- Solicitors and barristers practice only in England.
- There is no division of lawyers in the USA and most other countries. It is simply known as an attorney.
- In some other countries, the terms may have a different meaning.

Key Vocabulary

draft

menyusun konsep

exciting

menarik

responsibility

tanggung Jawab

advocacy

pembelaan

motions

permohonan

division

pembagian

choose

memilih

dispute

sengketa

fraud

penipuan

writer

penulis

law of contract

kontrak kukum

company

perusahaan

defend

membela

right

hak

well-known

terkenal

advice

nasihat

jail

penjara

copyright

hak cipta

on behalf

mewakili

complex

kompleks

trouble

masalah

infringement

pelanggaran paten

partnership

kemitraan

valid

sah

What are they talking about?

Mario

Hello, I'm a lawyer. I'm a specialist in criminal law. I work in a big law firm in Jakarta, Indonesia. I usually get up at 7.00 am. I have a cup of coffee and breakfast. I leave for work at 9.00 am every morning until 5 pm in the afternoon. In office, I usually review and draft legal documents for motions or arguments. Some of my clients get face serious crimes, for example, theft, fraud, and murder. One of my responsibilities is to defend people who are in trouble with the police. They may even go to jail if I don't help them. I give them legal advice and opinions. Sometimes, I represent them in a court. It is my job to help them. I love my job.

Cont....

Jessica

Hello, I work in a very exciting area of law here in New York, USA . I am a lawyer or simply known as an attorney at law. Actually, there is no division between lawyer or attorney here in USA. I am specialist in intellectual property law. As an attorney, I meet a lot of clients such as writers and musicians. They need my advice on copyrights law and intellectual property rights. My responsibility is protecting their rights so no-one can copy their work without proper permission. I also represent my clients in court for copyright infringement cases. I love my job!.

William

I am a solicitor. I work for a legal practice based in London, the capital city of England. I work together in partnership with other solicitors in a very big law firm. All the solicitors in my office practice in many areas of law, for example, criminal law, family law, intellectual property law, and etc. I choose to be specialist in law of contract. I give legal advice to individuals and companies. I also draft and review legal documents for my clients. Our clients usually are very rich and well-known people. One of my responsibilities is acting for my clients in and out of the civil court. Sometimes, I make a litigation on behalf of my clients in court. This job is very exciting.

Anna

Hai... My name is Anna. I am a barrister. I work in Birmingham, England. I am a self-employed lawyer and don't work in partnership. I am a specialist in advocacy that I speak for my clients' behalf particularly in higher court. I give legal advice to individuals and companies. I mostly deal with civil cases particularly legal contract disputes between individuals or companies. Sometimes, I give advice on complex cases on areas of law to solicitors and their clients. One of my responsibilities is to make sure a contract is correct, valid, and legal. That's why I have to check every word very carefully!.

(Catherine, 2016)

Question

1. What do Mario, Jessica, William, and Anna do?
2. Where do they work ?
3. Who work in partnership?
4. What is the difference of solicitor and barrister?

Answer

1. What do Mario, Jessica, William, and Anna do?

Mario

- reviews and drafts legal documents for motions or arguments.
- defends people who are in trouble in police station.
- gives them legal advice and opinions and represents them in a court.

Jessica

- gives advice on copyright law and intellectual property.
- protects her clients' rights so one can copy their work without proper permission.
- gives them legal advice and opinions in a court.
- represents her clients in court for copyright infringement cases.

William

- gives legal advice to individuals and companies.
- drafts and reviews legal documents for his clients .
- acts for his clients in and out of the civil court.
- makes a litigation on behalf of his clients in court.

Anna

- deals with civil cases particularly legal contract disputes between individuals and companies.
- gives legal advice on complex case on the areas of law to solicitor and their clients
- makes sure a contract is correct, valid, and legal.

Cont....

2. Where do they work ?

- Mario works in a big law firm in Jakarta, Indonesia.
- Jessica works in New York, USA.
- William works in legal practice in London, England.
- Anna works in Birmingham, England.

3. Who work in partnership?

- Solicitors usually work together in partnership in a law firm. They usually come and practice from different areas of law, for example, criminal law, family law, intellectual property law, and etc.

Cont....

4. What is the difference of solicitor and barrister?
 - The difference is that solicitors usually work together in partnership in a law firm while the barristers are self-employed lawyers and they don't work in partnership.

Focus on form

Responsibility + is + infinitive –to

Responsibility + is + verb – ing

One of my responsibilities + is + infinitive –to

One of my responsibilities + is + verb -ing

Responsibilities is the plural form of **responsibility**

Mascull, Bill (2002)

For example

- My responsibility is to make sure everything works well
- My responsibility is making sure everything works well
- One of my responsibilities is to make sure everything works well.
- One of my responsibilities is making sure everything works well.

Exercise

Can you find in the text the use of responsibility + infinitive-to or verb-ing?

Answer

- **Mario**

“Some of my clients get face serious crimes, for example, theft, fraud, and murder. **One of my responsibilities is to defend people who are in trouble with the police.** They may even go to jail if I don’t help them.”

Cont....

- **Jessica**

“They need my advice on copyrights law and intellectual property rights. **My responsibility is protecting their rights so no-one can copy their work without proper permission.** I also represent my clients in court for copyright infringement cases. I love my job! “

Cont....

- **William**

“Our clients usually are very rich and well-known people. **One of my responsibilities is acting for my clients in and out of the civil court.** Sometimes, I make a litigation on behalf of my clients in court. This job is very exciting.”

Cont....

- **Anna**

“I give advice on complex cases on areas of law to solicitors and their clients. **One of my responsibilities is to make sure a contract is correct, valid, and legal.** That’s why I have to check every word very carefully!”

Lets' practice....

Are you a barrister?

Osfred : Hello, good morning. My name is Osfred. I am from Indonesia. I study law here in UK.

Donna : Hi... good morning. I am Donna. I am from London and I work in that building next to the bank. That's my office.

Osfred : Oh I see... Are you a barrister?

Donna : Yes, I am. I am self-employed barrister. Right now, I am dealing with investment fraud case in higher court. It is a very complex case. Sometimes, I give legal advice to solicitors. It's my job. Oh, that's my train...

Osfred : Oh ...ok ...Thank you Donna.

Donna : You are welcome.

Conversation

Are you a barrister?

Osfred : Hello, good morning. My name is Osfred. I am from Indonesia. I study law here in UK.

Donna : Hi... good morning. I am Donna. I am from London and I work in that building next to the bank. That's my office.

Osfred : Oh I see... Are you a barrister?

Donna : Yes, I am. I am self-employed barrister. Right now, I am dealing with investment fraud case in higher court. It is a very complex case. Sometimes, I give legal advice to solicitors. It's my job. Oh...that's my train...

Osfred : Oh ...ok ...Thank you Donna.

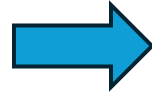
Donna : You are welcome.

Can you guess the word?

1. RAWLEY
2. UEGDJ
3. OOIIRTCLS
4. TTEOYNRA
5. ALEGL
6. HTGCPOIRY
7. EIEINNNMGRTF
8. AFURD

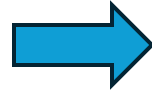
Answer

1. RAWLEY



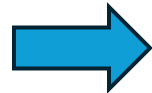
LAWYER

2. UEGDJ



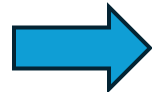
JUDGE

3. OOIIRTCLS



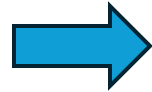
SOLICITOR

4. TTEOYNRA



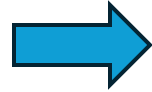
ATTORNEY

5. ALEGL



LEGAL

6. HTGCPOIRY



COPYRIGHT

7. EIEINNNMGRTF



INFRINGEMENT

8. AFURD



FRAUD

Overview

- Reading text about lawyer, attorney, solicitor, and barrister
- Responsibility + is + infinitive –to
Responsibility + is + verb – ing
- Practice Conversation

References

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Terima kasih