

RASA ŠEMIOTIENĖ

ENGLISH FOR STUDENTS OF LAW

ANGLŲ KALBA TEISININKAMS

**Introduction to Law Matters
Intermediate Level of English**



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Rasa Šemiotienė. Anglų kalba teisės studijų programos B1-C1 lygio studentams.

Mokomoji knyga su teisiniais tekstais, klausimais, profesinių terminų žodynėliu ir pratybomis.

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INTRODUCTION

English for Students of Law is a course for learners of English (B1 – C1) levels, who might need the key concepts of law to be able to use and apply them in their future professional activities and in the business world overall. The learning materials cover the most important topics in law and legislation. This set of training materials is aimed to develop professional vocabulary, comprehension, fluency of speech and thought, alongside with reading, writing, and speaking skills, to assist students or adult learners to join the labour market and settle in it more successfully.

The course consists of **twenty two units**, each of which focuses on a specific area of a legal topic. Each article is followed by question series to consolidate issues analysed in the text. Every unit contains the section of *Word Bank* with definitions of new words and expressions related to the topic discussed. There are also several exercises included to practise the active vocabulary.

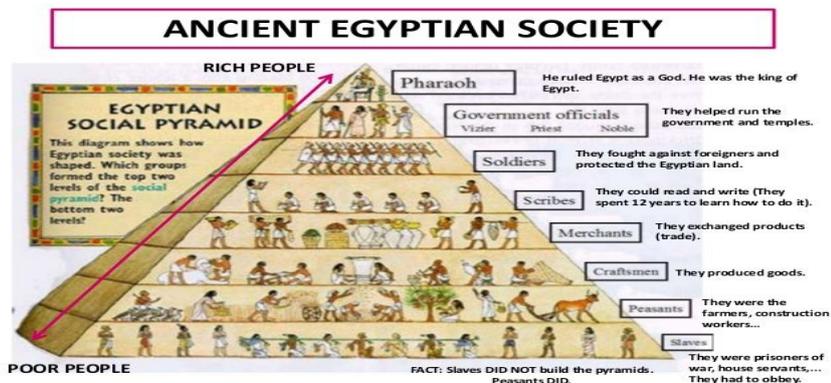
The units are not graded in terms of difficulty, so they do not need necessarily be followed in the printed order. These learning materials can be used as for self-study, so for classroom work either individually or in team activity.

Author

1. THE HISTORY OF LAW

The history of law is closely intertwined with the history of civilisation. Rules that used to govern social behaviour have existed for centuries. Below is a timeline of law evolution:

30th century BC. Ancient Egyptians established a set of civil codes based on social equality and impartiality. Ancient Egyptian law was closely tied to religious beliefs. The gods were involved, moral codes were taken from divine decrees, and the obedience to the pharaohs and gods was underlined. The basis of the legal system was **Maat**. Maat was more of a concept than a goddess – she was the representation of truth, justice and order. The **42 Declarations of Innocence**, also called the **Negative Confessions of Maat**, proclaimed that all ancient Egyptians were dealt with equally in the eyes of the law, and so even the rich or elite were not exempt from harsh punishments for their crimes



22nd century BC. The oldest surviving written legal code - **the Code of Ur-Nammu** - came to us from Mesopotamia (modern-day Iraq). It was a set of tablets with laws written on them in Sumerian. They date from around 2100 BCE.

18th century BC. Also from Mesopotamia is the famous **Code of King Hammurabi**, from around 1754 BCE. It consists of 282 Babylonian laws inscribed in stone and covers social and familial laws such as inheritance and divorce.

8th century BC. Ancient Greece became the first society based on broad inclusion of its citizens, known as being a major contributor to the development of democracy. The main law was **the Law of Athens**, embracing a number of basic approaches to legal problems, certain methods used in producing legal effects, and a legal terminology.

5th century BC – 6th century AD. The **Roman law** was the legal system of ancient Rome, always changing to reflect the dynamic nature of society. Hugely influential on European law even today as evidenced by the common use of Latin legal terms. The **Law of the Twelve Tables** stands at foundation of the Constitution of the Roman Republic. The Romans were the first civilisation to develop a formal class of law professionals known as *Jurisconsults*.

11th century AD. The Roman law was replaced by *custom and case law* during **the Dark Ages**. The Dark Ages also caused the collapse of the legal profession in Western Europe. The Royal courts developed *common law* in England. A Europe-wide **Law Merchant** formed allowing merchants to trade according to a common standard.

12th – 13th century AD. Legal profession returned to prominence due to renewed efforts by the church and state to regulate it. The world's first university, the **University of Bologna**, was set up as a law school. Bologna served as a model for other law schools of the Medieval age.

16th century AD. By this time the legal profession could be subdivided into two distinct branches; barristers, and attorneys and solicitors. Despite there being many eminent solicitors, there were also 'pettifoggers' and 'vipers' disgracing the profession.

18th century AD. Many countries incorporate **Law Merchant** into local laws. **Law Merchant** is a set of the commercial rules developed under English common law that influenced modern commercial law.

19th century AD – present. The **Germanic** and **Napoleonic** codes became the most influential and make up the majority of European law today.

The US legal system is largely based on the English common law system. The **Law Society** was formed to raise the law profession's reputation and set standards to ensure good practice, first, in London and later similar bodies were formed worldwide to regulate the profession.

WORD BANK

impartiality - is a principle of justice holding that decisions should be based on objective criteria, with no benefit to one person over another for improper reasons;

confession - a statement made by a person or by a group of persons acknowledging some personal fact that the person (or the group) would prefer to keep hidden;

to exempt - to free from an obligation, duty, or liability to which others are subject;

inheritance - the practice of passing on property, titles, debts, rights, and obligations upon the death of an individual;

to evidence - that which tends to prove or disprove something; ground for belief; proof;

barrister - a lawyer who pleads cases before the court, has the right of audience;

- attorney** - (in *US*) a lawyer qualified to represent clients in legal proceedings;
- solicitor** - prepares cases for trial and gives advice on legal subjects, drafts documents, conducts negotiations;
- pettifogger** - a lawyer whose practice involves petty matters or who lacks sound legal judgment or skills;
- viper** – a cunning and treacherous person.

QUESTIONS

1. What was characteristic of Egyptian law?
2. Where and when were family matters legally concerned first?
3. Where did the legal terminology emerge?
4. What codes make up the majority of European law today?
5. Why do societies need laws?

TEST YOUR KNOWLEDGE

Exercise 1. Give one-word terms for the following definitions:

1. Giving statements as a proof of one's innocence –
2. A professional working on legal matters in the USA –
3. Obtaining some real property or obligations after a relative's death –

4. A lawyer who works in the court of law –
5. A lawyer who works in the office –
6. A lawyer who lacks professional experience –
7. A statement acknowledging one's fault –
8. To be freed from obligations or responsibility –

Exercise 2. What do these phrases mean in Lithuanian?

1. civil codes based on social equality and impartiality – -----

2. moral codes were taken from divine decrees - -----

3. the obedience to the pharaohs and gods was underlined - -----

4. the main law embracing a number of legal problems - -----

- 5. certain methods used in producing legal effects and a legal terminology- -----

6. the Roman law was replaced by *custom and case law* - -----

7. legal profession returned to prominence due to renewed efforts - -----

8. 'pettifoggers' and 'vipers' disgracing the profession of a lawyer - -----

Exercise 3. Translate into English:

Atėnų teisė. Atėnų politinės institucijos

Atėnų politines institucijas galima būtų išskirstyti į 3 dalis pagal valdžios pobūdį: tautos susirinkimas, taryba ir renkami pareigūnai-archontai ir strategai. Susirinkimas priiminėjo politinius sprendimus, o taryba užsiėmė politikos įgyvendinimu ir administraciniais reikalais. Tautos susirinkimas būdavo šaukiamas kartą per mėnesį, vėliau maždaug 4 sykius, per metus būdavo apie 50 susirinkimų. Archontai buvo pasidaliję pareigybes ir faktiškai vadovavo valstybei. Nors jų faktiška galia buvo labai maža iš piliečių jie susilaukdavo ypatingos pagarbos, matyt dėl sakralinių, simbolių šių pareigų pobūdžio. Kariuomenės reikalais užsiėmė renkami 10 strategų.

Tačiau ir strategų veikla visiškai priklausė nuo tautos susirinkimo. Tiek sprendimų priėmimas tiek sprendimų įgyvendinimas buvo kiekvieno piliečio pareiga, o ne tik jų išrinktųjų ar jų lyderių. Nors ne visi Atėnų gyventojai turėjo tokias politines teises, tačiau jokia kita demokratija žmonijos istorijoje neturėjo tokio didelio dalyvavimo laipsnio.



2. PROFESSIONAL TITLES AND FUNCTIONS

Although many kinds of people working in or studying legal affairs are referred to as lawyers, the word really describes a person who has become officially qualified to act in certain legal matters because of examinations he has taken and professional experience he has gained. In **Japan**, for example, a lawyer must decide whether he wants to become an attorney, a public prosecutor or a judge.

In **England**, the decision is between becoming a *barrister* or a *solicitor*. Barristers specialize in arguing cases in front of a judge and have the right to be heard -the right of audience - even in the highest courts. They are not paid directly by clients, but are employed by solicitors. Judges are usually chosen from the most senior barristers, and once appointed they cannot continue to practice as barristers.

Solicitors do much of the initial preparation for cases, which they then hand to barristers. They also draw up wills and deal with litigation, which is settled out of court. In general, it can be said that a barrister spends most of his time either in a courtroom or preparing his arguments for the court, and a solicitor spends most of his time in an office giving advice to clients, making investigations and preparing documents.

The legal system of **the United States of America** is similar in many ways to the English system. One of the main differences is the existence of the United States Constitution which is interpreted by the highest court, the Supreme Court. The *Supreme Court Judges*, who are appointed by the President and approved by the Senate, can only be removed from office by impeachment.

Federal judges are also appointed for life by the President. They deal with federal law, which applies to the country as a whole, and with important cases involving citizens from different states.

State judges hear cases involving the law of a particular state. They hold office for ten years and are usually elected or confirmed in office by election.

The *attorneys*, who represent clients in court, have been trained at law schools and are licensed to practice only in certain states. In a criminal case, the *prosecution attorney* is appointed by the *District Attorney* to prosecute the defendant. The *defence attorney* will be provided in case the defendant cannot afford to engage her or his own lawyer. The prosecution may agree to charge the defendant with a less serious offence if he or she agrees to plead guilty. This is known as **plea-bargaining**.

The task of the *jury* is only to decide whether the defendant is innocent or guilty, while it is the judge who passes sentence.

WORD BANK

- an attorney** - a person who has been qualified by a state or federal court to provide legal services, including appearing in court; one who represents clients in court proceedings;
- a public prosecutor** - a government official who conducts criminal prosecutions on behalf of the state;
- impeachment** – a charge of a court or other official body upon an important public figure (a politician or government official) with a serious crime;
- to hold office** – to be in an important position of authority, especially in the government; the work and duties connected with this;
- to appoint** - to assign a duty, responsibility or obligation to sb;
- to hand** - to place into the hands or custody of;
- to draw up** - to compose or write out a legal document in the proper form;

- a will** - a legal document declaring a person's wishes regarding the disposal of their property when they die;
- plea bargaining** – an arrangement in a court of law by which a person admits to being guilty of a smaller crime in the hope of receiving less severe punishment for a more serious crime;
- to pass sentence** - to state officially the judgement carried out by the judge in court.

QUESTIONS

1. What kind of person can be described as a lawyer?
2. What are the functions of barristers?
3. What are the functions of solicitors?
4. How are judges appointed in England?
5. What is the difference between a federal judge and a state judge?

TEST YOUR KNOWLEDGE

Exercise 1. Replace the words in italics with the words used in the text:

1. She was *charged* _____ with supervising the creation of a concordance.
2. He *turned* _____ over the prisoner to his lawyers.
3. She *composed* _____ a contract form properly.
4. *Testament* _____ is a legal document declaring a person's wishes regarding the disposal of their property when they die.
5. He was warned that the district attorney would initiate a *lawsuit* _____.

6. Firstly, find *an attorney* _____ who advises clients on legal matters and represents clients in lower courts.

7. Television cameras were admitted in the *room in which a law court sits* _____ .

8. It is *the highest class of lawyers who* _____ have exclusive audience in all the superior courts.

Exercise 2. Find at least one synonym to the following words:

1. an attorney	
2. a public prosecutor	
3. a barrister	
4. a solicitor	
5. to appoint	
6. to hand	
7. to draw up	
8. a will	
9. litigation	
10. a courtroom	

Exercise 3. Translate the text using the clue-words in the box

state	minor crimes	building permits	a judge	accused of	a right
	a jury	hear a case	accuse	local	to handle
	Major crimes	slightly	federal		states
					district courts

Yra 3 teismų lygiai JAV: federalinis, valstijos ir vietinis. Federalinis teismas nagrinėtų bylą, jei asmuo būtų apkaltintas bandymu pakenkti prezidentui. Jis/ji čia pažeidžia federalinį įstatymą. Valstijos teismas nagrinėtų bylą, kur asmuo sulaužė valstijos įstatymą, sakantį kad gydytojai privalo turėti licenciją. Vietinis teismas nagrinėtų bylą, kurioje asmuo nesilaikė vietinio teismo įstatymų susijusių su leidimais pastatams.

Kiekviena valstija turi šiek tiek skirtingą teismų sistemą. Daugelyje valstijų, lengvesni nusikaltimai ir pažeidimai yra nagrinėjami vietiniuose teismuose. Rimti nusikaltimai ir prasižengimai yra nagrinėjami valstijos apygardos teismuose. Kai kurios valstijos turi specialius teismus nagrinėti šeimų ir vaikų bylas, palikimus (testamentų tvirtinimo teismai), ir t.t. Kai kurias bylas nagrinėja teisėjas, o kai kurias prisiekusieji. Asmuo apkaltintas rimtu nusikaltimu turi teisę į bylos nagrinėjimą su prisiekusiais.



3. STATE AND LOCAL GOVERNMENT BODIES

The Government is the mechanism through which the public will is expressed and made effective. Constitutions, laws and ordinances are the formal records of the public will as expressed by these legislative bodies: parliaments, legislatures and municipal councils.

Presidents, governors, mayors and other executive officials are vested to put the legislation into effect, and the courts and police help them. In case anyone shows reluctance to obey the laws, the machinery of enforcement is started.

The Government embraces three broad functions: the *making* of laws, the *administration* of laws, and the *enforcement* of them. Therefore, the three great branches of government are: legislative, executive, and judicial.

Governments are considering issues of foreign affairs, defence, regulation of commerce and currency, health, housing, education, environmental protection, transportation, energy, economy, and a host of other fields.

The *local* government is often regarded as the basis of national self-government. It is a way of providing various services for the benefit of the community.

The functions of the local government can be broadly divided into two main groups: 1) functions of control over the activities of private citizens, and 2) the provision of public services. When executing functions of control, municipalities have authority to make *by-laws*. The provision of public services helps develop public welfare. This is realised by establishment of the system of education, by providing medical and hospital services, developing the local infrastructure: sanitation, utilities, roads and public transport, financial services and communication, etc.

Besides the local government, there are district and regional bodies, performing similar functions.

WORD BANK

ordinances - orders or rules made by a government or sb in a position of authority;

legislature - a group of people who have the power to make and change laws;

to embrace - to include sth;

enforcement - the measures taken by the police to make sure that people obey a particular law or rule;

to be vested - to give sb the legal right or power to do sth;

reluctance - hesitation before doing sth because you do not want to do it or you are not sure that it is the right thing to do;

currency - the system of money that a country uses;

housing - the job of providing houses, flats/apartments, etc. for people to live in;

utility services - services provided for the public (an electricity, water or gas supply);

a by-law - a law that is made by a local authority and that applies only to that area;

welfare - the general health, happiness and safety of a person or a group;

sanitation - the equipment and systems that keep places clean, especially by removing human waste.

QUESTIONS

1. What is the government?
2. What ruling bodies put the legislation into effect?

3. What are the main functions and branches of the government?
4. What are the fields of activity the government deals with?
5. What are the basic functions of the local government?
6. In what way do the local governments provide for the public welfare?

TEST YOUR KNOWLEDGE

Exercise 1. Write synonyms for the following words:

1. accommodation, habitation, lodging -
2. boost, branch out, broaden, develop, enlarge, widen -
3. parliament, law-makers -
4. privileged, sanctioned, legally entitled -
5. comprise, contain, encompass, grasp, hug, include, involve -
6. carrying out, execution -
7. dislike, indisposition, repugnance, unwillingness -
8. enactment, regulation, rule, statute -

Exercise 2. Translate into English:

1. visuomenės norai yra išreikšti ir efektyviai išpildyti -
2. dekretai yra oficialūs visuomenės valios dokumentai –
3. įstatymų leidžiamosios valdžios organai -
4. vykdomosios valdžios pareigūnai -

5. leisti įsigalioti įstatymams -
6. nenoras paklusti įstatymams -
7. priverstinio vykdymo mechanizmas –
8. gerinti, plėtoti visuomenės gerovę –

Exercise 3. Can you interpret the following in Lithuanian?

1. national self-government -
 2. matters of governmental concern –
 3. the machinery of enforcement is started –
 4. a host of other fields –
 5. municipalities have authority -
 6. control over the activities of private citizens -
 7. provision of public services -
 8. to put the legislation into effect –
 9. to make by-laws –
 10. the activity of subjects –
 11. establishment of system of sanitation –
 12. public welfare –
 13. maintenance of roads -
 14. district bodies –
-

4. THE SEIMAS OF THE REPUBLIC OF LITHUANIA

Seimas is the legislative body of the Republic of Lithuania and the main institution of representation of the People, with traditions dating back hundreds of years. The Statute of Lithuania (a Code of Laws) promulgated in 1566 gave the Seimas the legislative power. The council of Lithuania which on 16 February 1918 officially declared the independence of the State of Lithuania had also stated that "the foundation of the Lithuanian State and its relations with other states" shall be determined by Seimas to be elected by the inhabitants of Lithuania on the basis of universal, equal and secret suffrage.

On 24 February 1990, after fifty years of occupation, the first free elections to the Supreme Council were held. Winners in the elections were the candidates backed by the Sajūdis. On 11 March 1990 the new Supreme Council promulgated a historic document, the Act "On the Reestablishment of the Independent State of Lithuania".

Article 5 of the Constitution of the Republic of Lithuania sets forth the principles of the activities of the parliament, elections to the Seimas as well as the powers of this institution.

The Seimas consists of 141 members who are elected for a four-year term on the basis of universal, equal and direct suffrage by secret ballot. Any citizen of the Republic of Lithuania who is not bound by an oath or pledge to a foreign state and is at least 25 years of age on the day of election and has been permanently residing in Lithuania may be elected a Seimas member. He assumes all the rights of a representative of nation only upon taking an oath in the Seimas to be loyal to the Republic of Lithuania.

The Seimas' administers the following actions and proceedings:

- considers and adopts amendments to the Constitution;

- enacts and adopts resolutions to hold referendums;
- approves or rejects the candidature of the Prime Minister proposed by the President;
- approves or not the programme of the Government;
- appoints Judges of the Constitutional Court and the Supreme Court as well as the Chairpersons of these Courts;
- approves the State budget and supervises its implementation;
- considers issues of foreign policy;
- declares a state of emergency;
- announces mobilisation and adopts decisions to use the armed forces, etc.

Laws of the Republic of Lithuania, resolutions of the Seimas and other decisions of the Seimas are adopted at the sittings of the Seimas by simple majority vote (i.e. more than half) of the Seimas members participating in the sitting.

WORD BANK

- to promulgate** - to announce a new law or system officially or publicly;
- suffrage** - the right to vote in political elections;
- to back** - to give help or support to sb;
- a ballot** - the system of voting in writing and usually in secret;
- a pledge** - a serious promise;
- an amendment** - a small change or improvement that is made to a law or a document;

- implementation** - the carrying out of sth that has been officially decided;
- state of emergency** - immediate action to deal with a sudden serious and dangerous event or situation;
- a sitting** - a period of time during which a court of law or a parliament deals with its business;
- majority** - the number of votes by which one side in a discussion, decision, etc. wins.

QUESTIONS

1. What is the Seimas of Lithuania?
2. When was the independence of the State of Lithuania declared officially?
3. What does Article 5 of the Constitution of the Republic of Lithuania declare?
4. What requirements should be observed by a citizen who claims to become a Seimas member?
5. What actions and proceedings does the Seimas administer?
6. How and where are the laws of the Republic of Lithuania and resolutions of the Seimas adopted?

TEST YOUR KNOWLEDGE

Exercise 1. Complete the sentences. Use the words from the box.

to set forth *secret ballot* *governmental* *sessions* *to convene*
amendments *opposition groups* *chairperson (x3)* *sittings*
the Constitution *oath* *pledge* *to dismiss*
to permanently reside *parliamentary*

1. _____ of the Republic of Lithuania _____ the principles of the activities and the powers of the Seimas.
2. To be elected a Seimas member a person has to _____ in Lithuania.
3. Members are elected on the basis of universal, equal and direct suffrage by _____.
4. A future Seimas member has not been connected with a foreign state by _____ or _____.
5. Seimas _____ annually for two regular _____ – one in spring and one in fall.
6. One of the main powers of Seimas is to make _____ to the Constitution.
7. The Seimas appoints or _____ the State Controller and the _____ of the Bank of Lithuania.
8. The _____ or one of the three Vice _____ presides over the _____ of the Seimas.
9. The _____ groups are headed by their spokespersons.

10. Parliamentary groups or coalitions which disagree with the _____ programme declare themselves the _____.

Exercise 2. Legal Latin.

I. Match a Latin term with its English equivalent:

- | | |
|---------------------------------|---|
| 1. id est (i.e.) | a) a favour for a favour |
| 2. ad hoc | b) for example (<i>used before more examples are given</i>) |
| 3. et cetera (etc.) | c) for this purpose (<i>often used as an adjective before a noun</i>) |
| 4. exempli gratia (e.g.) | d) against (<i>versus is abbreviated to 'v.' in case citations, but to 'vs.' in all other instances</i>) |
| 5. per se | e) and others (<i>used to shorten a list of people, authors, defendants</i>) |
| 6. quid pro quo | f) and other things of the same kind (<i>used to shorten a list of similar items</i>) |
| 7. versus | g) by itself (<i>used after a noun to indicate the thing itself</i>) |
| 8. et alli (et.al.) | h) that is (<i>used for an explanation of a word preceding it</i>). |

Match a Latin term with its English equivalent:

- | | |
|----------------------|---|
| 1. de facto | a) among other things |
| 2. ipso facto | b) per year |
| 3. inter alia | c) number of shareholders/directors who have to be present at a board meeting so that it can be validly conducted |
| 4. per annum | d) in fact |
| 5. pro forma | e) of one's own right; able to exercise one's own legal rights |

6. **pro rata** f) proportionally
7. **quorum** g) by that very fact itself
8. **sui juris** h) as a matter of form
9. **ultra vires** i) as follows, that is to say, namely
10. **videlicet (viz.)** j) beyond the legal powers of a person or a body.

Exercise 3. Translate the sentences using the words in the box:

ballot, candidates, disapprove, the regular pool hours, to vote, polling-station, are set, the polls, referendum, proof, identity, ballot box, sealed, precinct, stamped, recorded, an election official, booth, preferable candidate, to approve, issues, registered, to vote, time off

Rinkimų diena. Aš užregistruota/s balsuoti. Atidžiai išsinagrinėjau savo biuletenio pavyzdį ir viską sužinojau ką galėjau apie kandidatus. Prieš einant balsuoti aš pasiimu biuletenį ir susirandu savo balsavimo punkto adresą, kadangi aš galiu balsuoti tik mano rinkiminės apygardos, kurioje aš gyvenu, rinkiminiam punkte.

Mano biuletenyje nurodyta kiek laiko rinkimų punktas veikia. Balsavimo valandos yra taip nustatytos, kad žmonės galėtų ateiti prieš ir po darbo. Tačiau aš dirbu per toli nuo mano balsavimo vietos ir negaliu nuvykti ten per paskirtas balsavimui valandas, taigi mano darbdavys privalo, pagal įstatymą, suteikti man laisvo laiko balsuoti (paprastai 2 valandas).

Kai aš atvykstu į balsavimo vietą, aš pasakau savo vardą rinkimų tarnautojui. Turiu pasirašyti į sąrašą ir taip parodyti, kad atvykau balsuoti, o tuo pačiu patvirtinti savo tapatybę. Tada man įteikiamas balsavimo biuletenis ir aš einu į balsavimo kabiną balsuoti. Aš pažymiu langelį prie kandidato, kuriam aš teikiu pirmenybę ir įmetu biuletenį į balsavimo dėžę. Dėžė yra užplombuota ir užantspauduota iki kol bus nugabenta į tą vietą, kur bus skaičiuojami ir registruojami balsai.

Biuletenis gali būti padalintas į du skyrius: vienas yra kandidatų sąrašas, kitas – pritarti ar nepritarti svarstomais klausimais. Tai vadinama **referendumu**.



5. THE COURT SYSTEM OF LITHUANIA

In the Republic of Lithuania, the courts have the exclusive right to administer justice. While administering justice, judges and courts are independent. While investigating cases, judges obey the law. The court shall adopt decision on behalf of the Republic of Lithuania. Judges may not apply laws that contradict the Constitution.

The court system of the Republic of Lithuania consists of the Constitutional Court, the Supreme Administrative Court, the Supreme Court, the Court of Appeals, the Regional Administrative Courts, Regional courts and District courts. Judges and Chairpersons are appointed by the President of the Republic, upon the approval of the Seimas (Parliament). Thus, sovereign state power is exercised by the **Seimas**, the **President of the Republic**, the **Government**, and the **Courts**. Judges may not hold any other elected or appointed posts, and may not be employed in any business, commercial, or other private institution or company. Judges may not participate in the activities of political parties and other political organizations.

Court judges in Lithuania may be dismissed from office according to the procedure established by the law in the following cases:

1. At their own will;
2. Upon expiration of their powers or upon pensionable age as determined by law;
3. For reason of health;
4. Upon appointment/transference to another office or place of office;
5. If their behaviour discredits their position as judge;
6. When judgement imposed on them by court comes into force.

If the Chairperson or judges of the Supreme Court or of the Court of Appeal grossly violate the Constitution, break their oath, or are found guilty of an offence, the Seimas may remove them from office pursuant to impeachment proceedings.

In all courts, the investigation of cases is open to the public. *Closed* court sittings may be held in order to protect the secrecy of a citizen's private life, or to prevent the disclosure of State, professional, or commercial secrets.

WORD BANK

to administer justice – to make sure that sth is done fairly and in the correct way;

to obey – to do what you are told or expected to do;

on behalf of - as the representative of sb or instead of them;

to contradict - to say that sth that sb else has said is wrong, and that the opposite is true;

litigation - the process of making or defending a claim in a court of law;

pursuant to - according to or following sth, especially a rule or law;

to dismiss - to officially remove sb from their job;

transference - the process of moving sb/sth from one place to another;

to discredit - to damage one's reputation, to lose respect;

to impose - to order that a rule, punishment, etc. be used;

to come into force - to start being used;

to violate - to go against or refuse to obey a law, an agreement, etc;

an oath - a formal promise to do sth or a formal statement that sth is true;

proceedings - an event or a series of actions; the process of using a court of law to settle a dispute or to deal with a complaint.

QUESTIONS

1. What does the court system of Lithuania consist of?
2. Who appoints judges and chairpersons in the Republic?
3. What are the cases for dismissal of court judges from office?
4. When are the impeachment proceedings applied?
5. What are the reasons for closed court sittings?

TEST YOUR KNOWLEDGE

Exercise 1. Insert the appropriate name of the court:

1. _____ is the only institution that can hear an appeal against a court's decision which has already come into force.
2. _____ investigate civil, criminal and administrative cases, and passes sentences. There are currently 54 _____ courts.

3. _____ courts investigate civil and criminal cases and hear appeals against decisions made by _____ courts. There are 5 _____ courts.

4. _____ hears appeals against decision made by _____. It also investigates cases that come under its jurisdiction under national law.

5. _____ courts consider complaints against administrative enactments adopted by the entities of public and internal administration and their acts or omission. The competence of _____ courts is regulated by the Law on Administrative Proceedings as well as number of specialized laws, such as laws on elections, public service, tax, zoning etc.

Exercise 2. Change the underlined word using the active one from the vocabulary above:

1. We must adjust to the bad economic situation.

2. The board opposed his motion.

3. She started a legal proceeding in a court.

4. Everything was done in conformance to the contract agreements.

5. This case is put out of judicial consideration.

6. Your actions will bring disrepute to your name.

7. Don't breach the country's laws if you want to stay here.

8. They took a solemn promise of allegiance.

Exercise 3. Translate the following text into English:

Lietuvos teisinę sistemą sudaro Lietuvos teisė (teisės normos), Lietuvos teisėsauga (tokios institucijos kaip teismai, policija ir kitos). Plačiąja prasme Lietuvos teisėsaugai ir jos institucijų sistemai Lietuvoje yra priskiriami ne tik Lietuvos teismai, bet ir Lietuvos prokuratūra, Lietuvos notariatas, organizacinei posistemei - tokios teisinės organizacijos kaip Antstolių rūmai, Notarų rūmai), Lietuvos advokatūra ir kitos posistemės, taip pat teisinė kultūra, teisinis švietimas (teisinių žinių perteikimo sistema), teisės mokslai, teisinė sąmonė Lietuvoje ir kitos sudėtinės teisinės sistemos dalys.

Lietuvos teisinės sistemos pagrindas yra teisinės kontinentinės Europos tradicijos. Žinoma, tarybinės okupacijos metu, Lietuvos teisinė sistema buvo žymiai pakeista, kad atitiktų SSSR. Tačiau, 1990 teisinė sistema buvo reformuota, kad atitiktų plačius socialinius ir ekonominius pokyčius. Centrinis vykstančių reformų prioritetas yra Lietuvos ir ES teisės suderinimas.

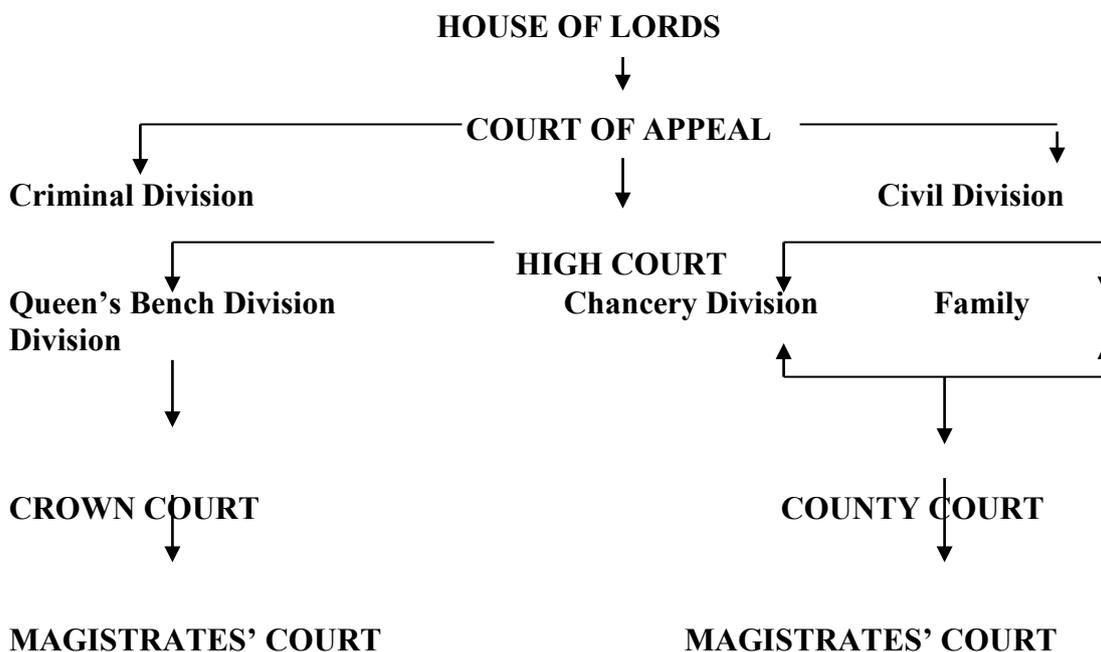
Teisės ir kontrolės sistemą sudaro: Lietuvos Respublikos konstitucija, konstitucinis įstatymas, įstatymai, Seimo (parlamento) ir Vyriausybės nutarimai, Prezidento dekretai, kitų vyriausybės institucijų ir vietinių savivaldybių valdžios įsakymai, aktai, ir pan.



6. JUDICIAL INSTITUTIONS IN ENGLAND

In all legal systems there are institutions for creating, modifying, abolishing, and applying the law. Usually these are courts. There are two main reasons for having a variety of courts. One is that a particular court can specialize in particular kinds of legal actions - for example, family courts and juvenile courts. The other is so that a person who feels his case was not fairly treated in a lower court can appeal to a higher court for reassessment. The decisions of a higher court are binding upon lower courts.

English courts. We can use the English system as an example of how courts are related to one another:



In general, the division between civil and criminal law is reflected in this system. The Crown Courts, for example deal exclusively with *criminal* matters, the County Courts -with *civil*. However, the Queen's Bench Division of the High Court considers

appeals from lower criminal courts, as well as civil matters. The highest court, the House of Lords, deals with *all* matters.

A criminal case usually begins in a Magistrates' Court. Having arrested someone suspected of committing a crime, the police must decide if they have enough evidence to make a *formal accusation*, or charge. If they charge the suspect, the magistrate may decide that it is not necessary to hold the suspect in custody and may agree to *unconditional* bail, or the magistrate may grant *conditional* bail - that is, release the suspect provided that he puts up some money as security, until he next appears before a court. The magistrates deal with minor cases, such as parking violations. Some serious crimes, like murder go to the Crown Courts.

In a Crown Court trial, there are twelve jurors. These are ordinary members of the public between the ages 18 and 70 who are selected at random. It is not necessary for a juror to know anything about the law - the job of the jury is to listen to the case and to decide *questions of fact*. It is the judge's responsibility to guide them on *questions of law*. However, whether the defendant did in fact commit murder or not is a question of fact to be decided by the jurors themselves. It is necessary for at least ten of the twelve to agree.

WORD BANK

<u>juvenile</u> - under	A court with jurisdiction over all cases involving children a specified age, usually less than 18 years old;
<u>reassessment</u> -	new appraisal or evaluation;
<u>to bind upon</u> –	to cause to be wholly engrossed with; to absorb in;
<u>to suspect</u> –	one who is suspected, especially of having committed a crime, believe to be guilty, to have doubts about; distrust;

<u>evidence</u> –	the objects or information used to prove or suggest the guilt of somebody accused of a crime. Something that gives a sign or proof of the existence or truth, or that helps to come to a conclusion;
<u>an accusation</u> -	an assertion that someone is guilty of a fault or offence; the act of imputing blame or guilt;
<u>a charge</u> -	in a criminal case, the specific statement of what crime the party is accused (charged with); a fee for services;
<u>custody</u> -	holding by the police; the state of being detained by the police or other authorities;
<u>(un)conditional bail</u> -	money that is given to a court when someone is allowed to stay out of prison until their trial. If they do not return for the trial, the court keeps the money;
<u>a violation</u> –	an act that disregards an agreement or a right, a disrespectful act;
<u>at random</u> –	chosen or happening without any particular method, pattern, or purpose;
<u>a defendant</u> -	a person, party, or company required to answer criminal or civil charges in a court.

QUESTIONS

1. What are the reasons for having a variety of courts?
2. Which courts deal with criminal matters and which ones with civil?
3. What is conditional bail?

4. Who may be a juror in the trial?
5. What are the functions of the jury in the court of law?

TEST YOUR KNOWLEDGE

Exercise 1. Match the words from the text with their synonyms:

- | | |
|----------------------------------|---|
| 1. to abolish - | a suspect, culprit; |
| 2. juvenile - | b arbitrarily, indiscriminately, randomly; |
| 3. reassessment - | c annul, get rid of, exterminate, extinguish, destroy, nullify; |
| 4. to bind upon – | d juryman, jurywoman, venire man, panel; |
| 5. to suspect – | e mistrust, distrust, to have doubts; |
| 6. evidence – | f testimony, proof, substantiation, demonstration; |
| 7. an accusation - | g incrimination, crimination, indictment, impeachment; |
| 8. to charge - | h accuse, impeach, incriminate, criminate, claim; |
| 9. custody - | i to stand bond for smb; |
| 10. (un)conditional bail - | j immature; infantile, young; youthful; |
| 11. a violation – | k offense, defilement, transgression, trespass; |
| 12. a juror\ jury -
imprison; | l guardianship, care, charge, defence, protection, |
| 13. at random – | m to fetter; tie; fasten; restrain; restrict; oblige; |
| 14. a defendant - | n reappraisal, revaluation, review. |

Exercise 2. Replace the words in italics with the words used in the text:

1. Slavery was *cancelled* _____ in the mid-19th century in America and in Russia.
2. His *childish* _____ temper is not in keeping with his age.
3. I think bullfighting should be *end* _____ .
4. What is your new *revaluation* _____ of the situation?
5. National Service was *annulled* _____ in Britain in 1962.
6. This problem is *tied* _____ with many others.
7. The police *surmise* _____ her of murder.
8. Parcels must be properly *fastened* _____ for posting to other countries.
9. I have *doubts of* _____ his motives.
10. The police have no *proof* _____ .
11. You can't just make wild *incriminations* _____ like that!
12. His trembling was *testimony* _____ of his fear.
13. The suspect was *blamed for* _____ murdering his wife.
14. There is no *substantiation* _____ that the disease is related to diet.
15. He glared at me with an air of *inculpation* _____ .
16. He is arrested and *imprisoned* _____ .
17. What do you say to the *charge* _____ that you are unfriendly and unhelpful?
18. There is a hearing today *to stand bond for* _____ you.
19. Bullets were fired into the crowd *randomly* _____ .

20. He claimed a *breach* _____ of his rights under the Fifth Amendment.
21. That was *an arbitrarily* _____ drug testing of Olympic athletes.
22. The *panel* _____ found him guilty of murdering three people.
23. The *12* _____ returned its verdict after five hours.
24. The prosecutor must prove beyond a reasonable doubt that the *accused* _____ is guilty.

Exercise 3. Give a nice Lithuanian translation of the following:

Law as a natural outcome of society

by Edward W. Younkins

The idea of law includes fundamental rules of behavior, as well as institutions and devices for changing, clarifying, refining, and applying the rules. Law is a natural outcome of people living and working together. If people are to live among others, there must be a way to resolve the inevitable disputes. Law can be seen as the activity of subjecting human conduct to the governance of rules.

(Available at: Younkins E. W. *The Evolution of Law*. <http://www.quebecoislibre.org/000805-11.htm>)



7. A POLICE – COURT/ MAGISTRATE’S COURT

Even a careful motorist may have the misfortune to commit a motoring offence. Having received a summons, he will appear in a police court. This is a court presided over by a *magistrate*, who tries cases without a jury. A magistrate has powers to pass sentence for relatively minor offences only; a judge and the jury deal with serious charges. In certain cases, the accused may choose to go before a judge and the jury, instead of appearing before a magistrate. A magistrates’ court is also used for the conduct of preliminary enquiries to determine whether an accused person shall appear for trial in a higher court.

When his case comes up in court, the motorist hears his name called by the clerk of the court, and comes forward to identify himself. The magistrate then calls for the police officer who charged the offender and asks him to give evidence. The officer takes the oath to "tell the truth, the whole truth, and nothing but the truth". He gives an account of what happened when the offence was committed and may mention any special circumstances.

If you are guilty, it is wise to plead guilty and apologize for committing the offence and taking up the court's time. Magistrates are not heartless and a motorist may be lucky enough to hear one say: ‘There are mitigating circumstances, but you have broken the law and I am obliged to impose a fine. Pay five pounds. Next case’. For many offences, if you wish to plead guilty you may do so by post and avoid attending the court at all.

Some short-tempered people forget that both police officers and magistrates have a public duty to perform, and are rude to them. This does not pay - and - rightly so! A magistrate will not let off an offender merely because he is respectful, but the courteous lawbreaker may certainly hope that the magistrate will reveal as much tolerance as the law permits.

WORD BANK

- to commit offence** - perform a crime or illegal activity for which there is a punishment: motoring/firearms/public order offences;
- a summons** - an official document that orders someone to appear in a court of law at a given place and time; a writ issued by authority of law;
- a magistrate** - a general term for any judge of a court, or anyone officially performing a judge's functions. It is a minor law officer or member of a local judiciary with extremely limited powers, e.g., a justice of the peace who deals with moving vehicular violations;
- the accused** - a person charged with a crime in a court of law;
- an enquiry** - a close examination of a case to get information and find out the truth;
- a trial** - the determination of a person's innocence or guilt by the process of law. In law, it is the presentation of information in a court, with the object of determining whether or not a person (or entity, such as a corporation) has broken a law;
- to take an oath** - a solemn, formal declaration or promise to fulfil a pledge, often calling on God or a sacred object as witness;
- an offender** - a person who is guilty of a crime, one that breaks a public law;
- a public duty** - work that you are obliged to perform for moral or legal reasons;
- mitigating**
- circumstances** - circumstances which reduce the penalty associated with the offense.

QUESTIONS

1. What sort of cases does a magistrates' court deal with?
2. What is the procedure of trial in this court?
3. Why does a witness take an oath?
4. How should a lawbreaker behave in court?

TEST YOUR KNOWLEDGE

Exercise 1. Match the words from the text with their synonyms:

- | | |
|---------------------------------------|---|
| 1. to commit offence | a decrease, lessen, minify; |
| 2. a summons | b responsibility, obligation, work, office, service; |
| 3. a magistrate | c wrongdoer, violator, lawbreaker; |
| 4. the accused | d interrogation, research, inquest, inquisition, investigation; |
| 5. an enquiry | e proceeding, legal proceeding, proceedings; |
| 6. a trial | f promise, swearing, swearword; |
| 7. to take an oath | g defendant, suspect, one charged with an offense; |
| 8. an offender | h officeholder, officer, judge, lower court judge, local law officer; |
| 9. a public duty | i writ, judicial writ, invitation, bidding; |
| 10. to apply mitigating circumstances | j perform\commit law-breaking, felony, offense, wrongdoing. |

Exercise 2. Complete the sentences using the active words form the text in the correct form:

1. The said he was innocent.
2. She had committed no under military law.
3. I received to appear in court on June 25th.
4. He was convicted of manslaughter rather than murder because of
5. He was too sick to carry out his imposed by the court.
6. We made of all those who were present.
7. He will appear before the tomorrow.
8. Greenway appeared at Bow Street to face seven charges of accepting bribes.
9. She refused my to come home.
10. Well, in Washington state, if you're a habitual sexual, they just don't let you out.
11. is a person who transgresses moral or civil law.
12. They took an of allegiance.
13. Even today, all new American citizens officially take of allegiance.
14. He had a fair and the jury found him guilty.
15. The study aims to find out what makes people crimes.
16. The king issued for payment of higher taxes

Exercise 3. What preposition do you use with the following phrases?

1. To accuse someone _____ something
2. to be liable _____ a punishment
3. to sentence someone _____ a punishment
4. to claim damages _____ something
5. to be entitled _____ compensation
6. to bring a case _____ someone
7. to be guilty _____ an offence
8. to fine someone _____ something.



8. THE INSTITUTIONS OF THE EUROPEAN UNION

Probably very few people in Europe know that on 9 May 1950 the first move was made towards the creation of what is now known as the European Union.

In Paris that day, the French Foreign Minister, Robert Schuman, read **the declaration** proposing to pass the first concrete steps towards the creation of a European Union committed to peace. The Minister declared the creation of a supranational European institution, charged with the management of the coal and steel industry, at that time, the basis of all military power. The countries, which he called upon - France, West Germany, Italy, the Netherlands, Belgium and Luxembourg, had almost destroyed each other in a dreadful conflict. The idea was to merge economic interests that would help raise standards of living and be the first step towards a more united Europe. Membership of the ECSC* was open to other countries.

Every country, which democratically chooses to join the European Union, endorses its fundamental values of peace and solidarity. Entering the EU means economic and social development embracing environmental problems. The EU follows an important task: to build a Europe, which respects freedom and the identity of all of the people, which compose it. Only by uniting its peoples, can Europe control the mastery of its destiny and develop a positive role in the world.

There are 3 main institutions involved in the EU legislation:

- the **European Parliament**, which represents the EU's citizens and is directly elected by them;
- the **Council of the European Union**, which represents the governments of the individual member countries. It sets the EU's overall political direction – but has no

powers to pass laws. The Presidency of the Council is shared by the member states on a rotating basis.

- the **European Commission**, which proposes new laws, ensures that the laws are properly applied and implemented, and represents the interests of the Union as a whole.

Other EU institutions and bodies are : the **Court of Justice of the EU**, which upholds the rule of the European law; the **Court of Auditors** checks the financing of the EU's activities; the **European Central Bank** is responsible for European monetary policy, and others.

The EU flag, blue with twelve gold stars-symbolizing completeness. The number will remain twelve no matter how many countries there are in the European Union.

The European Union is at the service of its citizens. While keeping to their own specific values, customs, and language, European citizens should feel at ease in the European home". Europe Day - 9 May - represents the very best of what it means to be European.

*The **European Coal and Steel Community**

WORD BANK

committed - willing to work hard and give your time and energy to sth;
believing strongly in sth;

supranational - involving more than one country;

to accede - to achieve a high position; to join;

to endorse - to say publicly that you support a person, statement or course of action;

identity - the characteristics, feelings or beliefs that distinguish people from others;

at ease - relaxed and confident and not nervous or embarrassed.

QUESTIONS

1. Why did it become urgent to create the European Community?
2. What are the main values under the European Union policy?
3. Enumerate the basic EU institutions and bodies.

TEST YOUR KNOWLEDGE

Exercise 1. Insert the words:

1. The European Union was _____ on November 1993 when the Treaty on European Union was ratified by the 12 members of European Community.

A abolished

B established

C planted

2. Switzerland _____ its membership application to avoid violation of its history of neutrality.

A withdrew

B moved back

C scrub

3. EFTA (European Free Trade Association) and EC (European Community), in 1991, completed a(n) _____ to establish the European Economic Area, which would provide a single market for goods, services, and capital.

A dissonance

B agreement

C concordat

4. The European Parliament is made up of 626 _____ of the peoples of the Member States of the Community; however, the number of seats may not exceed 700.

A agents

B canvassers

C representatives

5. Before 1979 the representatives were selected from the membership of national parliaments and _____ by them; however, elections are held every 5 years, which corresponds to the legislative period, but there is still no uniform electoral procedure, as required by the Treaties.

A send

B drained

C delegated

6. The European Parliament consists of the president, 14 Vice-Presidents and 5 *quaestors*, Parliamentary Committees for Internal _____, External Policies, and Temporary Committees.

A Policies

B Polices

C Polities

7. The European Parliament has three main roles: it exercises democratic control over all the Community institutions, in particular the Commission; it shares legislative power with the Council; it plays a _____ role in the adoption of the budget.

A indefinite

B deliberative

C decisive

8. Parliament has three essential functions: it shares with the Council the power to legislate, i.e. to adopt European laws; it shares budgetary authority with the Council, and can therefore influence EU spending; it exercises democratic _____ over the Commission.

A supervision

B monitoring

C supervention

9. The Council is made up of representatives of the governments of the members States who are _____ to act with binding effect on their governments.

A employ

B empowered

C empess

10. The Head of State or Premier of the member state currently holding the _____ presides over the European Council, which provides the strategy of the European Union.

A President

B Presidency

C Presidium

Exercise 2. Match the words to the definitions:

Combating	Policy	Xenophobia	Single market
	Borders		Asylum
Trafficking		Provision	Disarmament

1. _____ – is a customs union with common policies on product regulation, and freedom of movement of all the factors of production (goods, services, capital and labour).
2. _____ – plan of action adopted by an individual or social group;
3. _____ – a shelter from danger or hardship;
4. _____ – a shelter from danger or hardship;
5. _____ - act of reducing of arms;
6. _____ - the act of fighting; any contest or struggle;
7. _____ - an irrational fear of foreigners or strangers;
8. _____ - buying and selling;
9. _____ – a line that indicates a boundary.

Exercise 3. Translate into English using the clue-words in the box:

complement	depicted	features	spirit of openness
euro area	fluctuation	gave up	gateways exchange
a cash dispenser	currency	gave up	adopted
	a common currency		the reverse

Galime išvardyti daugybę euro privalumų. Keliaujant euro zonoje jums nereikia keisti valiutos (Lietuva įsivedė eurą 2015 m. sausio 1 d.). Pavyzdžiui, jūs galite nusipirkti maisto Prancūzijoje už euro banknotus, kuriuos gavote bankomate Ispanijoje.

Apsipirkinėjant euro zonoje, kainos yra išstatytos ta pačia valiuta – eurais. Vystant verslą su euro zona nebėra valiutų svyravimo rizikos. Vadovavimas verslui yra lengvesnis ir ne toks brangus.

Nuo 2002 m. sausio 1d. pirmosios 12 Europos Sąjungos šalių visiems laikams atsisakė savo nacionalinės valiutos ir pasirinko vieningą valiutą – eurą. Euro simbolį € sukurti įkvėpė graikų raidė ‘epsilon’ žyminti pirmą žodžio raidę ‘Europa’, o dvi paralelinės linijos simbolizuoja stabilumą euro zonos viduje. Langai ir vartai pavaizduoti vienoje banknotų pusėje simbolizuoja Europos atvirumo dvasią ir bendradarbiavimą. Kaip dizaino papildymas, kiekvieno banknoto reverse pavaizduotas tiltas - jis simbolizuoja glaudų bendradarbiavimą tarp Europos ir viso pasaulio.

12 Europos Sąjungos žvaigždučių perteikia harmoniją tarp Europos tautų.



9. CRIMINAL LAW

There are many ways to classify law, but the most fundamental distinction is drawn between *criminal* and *civil* law.

CRIMINAL LAW. Criminal law is an area of law that governs crimes including *felonies* and *misdemeanours*. The emphasis of criminal law is on punishing those found guilty of a crime in a court of law and keeping society safe from conduct that has been outlined as a threat.

A crime is regarded as *a wrong* done to the State. Prosecutions are usually commenced by the State, but they may be brought by a private citizen, too. If the prosecution is successful, the accused person (the defendant) is liable to punishment. A criminal defendant is a person who is being formally charged with a crime. Like any defendant, a criminal defendant is the party that is being held accountable by the court system and who is opposing the plaintiff. A criminal defendant is tasked with defending their actions and will employ a criminal lawyer to represent them. Under the law, criminal defendants have other rights, too, such as the right to remain silent, the right to a jury trial, etc.

Types of Criminal Offenses. Although there are many different kinds of crimes, criminal acts can generally be divided into four primary categories:

1. **Personal crimes** (homicide and other violent crimes, such as assault, battery, arson, kidnapping, rape, abuse, etc.);
2. **Property crimes** (theft, burglary, larceny, robbery, auto theft, and shoplifting);
3. **Statutory crimes** (alcohol related crimes, drug crimes, traffic offences, and financial/white collar crimes);
4. **Financial crimes** (fraud, blackmail, embezzlement, money laundering, tax evasion, and cybercrime).

Some crimes, for example rape, have specific victims. Others, for example, treason or speeding, can be committed without causing loss to any particular person. However, an English criminal court may force a defendant to pay *a fine* as punishment for their crime, and even cover the legal costs of the prosecution.

WORD BANK

a felony - a crime involving violence, regarded as more serious than a misdemeanor, and usually punishable by imprisonment for more than one year or by death;

a misdemeanour – a minor wrongdoing;

a wrong - an act that is not legal, honest or morally acceptable;

to commence - to begin or start sth;

to be liable - likely to be affected by sth; likely to be punished by law for sth;

a defendant - the person in a court of law who is accused of committing a crime, or who is being sued by another person;

a plaintiff - a person who makes a formal complaint against sb in a court of law;

a battery - 1) when one tries to cause severe injury to another, or 2) causes injury through use of a deadly weapon;

a white collar crime - refers to non-violent, illegal activities that are committed by individuals or business and government organizations for financial or personal gain. According to the FBI's website, white collar crime is "*lying, cheating and stealing*";

an embezzlement - the theft, misappropriation, or conversion of monies placed in one's trust, or which belong to an employer;

tax evasion - an illegal practice where a person, organization or corporation intentionally avoids paying his true tax liability;

treason - the crime of doing sth that could cause danger to your country.

QUESTIONS

1. What is the essence of criminal law?
2. What is a criminal defendant?
3. What rights can a criminal defendant apply for?
4. What types of criminal offences do you know?
5. What crimes do not have specific victims?

TEST YOUR KNOWLEDGE

Exercise 1. Use the correct word or phrase from the text to complete the following sentences:

1. A criminal case is brought by the
2. The person charged with criminal offence is the
3. The party bringing a civil action is
4. If the defendant loses a civil case, he should payto the plaintiff.

5. The accused person is liable to
6. Money laundering and fraud belong to crimes.

Exercise 2. Match each word to its definition.

Embezzle	Rob	Steal	Shoplifting
Murder	Burglar	Loot	Kidnap

1. to take property from (a person) illegally by using or threatening to use violence or force; commit robbery upon. _____
2. usually of large numbers of people during a violent event; to steal from shops and houses. _____
3. take away to an undisclosed location against their will and usually in order to extract a ransom. _____
4. the act of stealing goods which are on display in a store. _____
5. take unlawfully; to take something that belongs to somebody else, illegally or without the owner's permission. _____
6. to secretly take money that is in your care or that belongs to an organization or business you work for; _____
7. unlawful killing of a human being by a human being. _____
8. a thief who enters a building with intent to steal. _____

Exercise 3. Complete the sentences with the correct words from Exercise 2:

1. The _____ robbed him of all his money.
2. He keeps his bicycle securely chained so that no one _____ it.
3. A young couple attempted _____ the local bank, but the police arrived before they went away.
4. The industrialist's son was _____.
5. The mafia boss ordered his enemies _____.
6. He _____ a bottle of aspirin.
7. She _____ thousands of dollars from the charity.
8. During the riot shops were _____ and cars damaged or set on fire.



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10. CRIMINAL JUSTICE IN THE UNITED KINGDOM

The criminal justice system aims to prevent and reduce crime, and to deal fairly with the suspected or the accused. It also aims to help victims of crime convict the guilty and acquit the innocent, and to punish suitably those found guilty.

The courts may confiscate the proceeds from serious crime such as drug trafficking, robbery and fraud. The Government has certain exceptional powers for dealing with and preventing terrorist activities. Firearms must be licensed and their possession is regulated.

Law enforcement is carried out by locally based police forces. Police officers are normally unarmed and there are strict limits to police powers of arrest and detention.

Most accused people are released on *bail pending trial*. They are not remanded in custody unless strictly necessary. In British criminal trials, the accused is presumed innocent until proven guilty.

The sentence passed on an offender found guilty differs depending on the seriousness of the crime. Fines, community sentences (such as probation) or custody may be imposed on a convicted person. There is a mandatory sentence of life imprisonment for murder. The death penalty is not used.

The purpose of the prison system is to provide effective measures for security and control, constructive relationships between prisoners and staff, and useful programmes for prisoners. Prisoners may be housed in accommodation ranging from open prisons to high-security establishments. There are separate prisons for women. Young offenders are held in youth detention centres. The Government is seeking to foster greater private sector involvement in the prison system functioning.

WORD BANK

<u>the suspected</u> -	a person suspected of a crime or an offence;
<u>to convict</u> -	to decide and state officially in a court of law that sb is guilty of a crime;
<u>to acquit</u> -	to decide and state officially in a court of law that sb is <i>not</i> guilty of a crime;
<u>proceeds</u> -	the money that you receive when you sell sth or organize some activity; profits;
<u>trafficking</u> -	illegal trade in sth;
<u>fraud</u> -	the crime of deceiving sb in order to get money or goods illegally;
<u>enforcement</u> -	measures applied by the police to make sure that people obey a particular law or rule;
<u>detention</u> -	the state of being kept in a place, especially a prison, and prevented from leaving;
<u>bail</u> -	money that sb agrees to pay if a person accused of a crime does not appear at their trial. When bail has been arranged, the accused person is allowed to go free until the trial;
<u>pending</u> -	waiting to be decided or settled;
<u>to remand</u> -	to send sb away from a court of law to wait for their trial which will take place at a later date (<i>remanded in custody</i> – sent to prison until their trial; <i>remanded on bail</i> – allowed to go free until the trial after leaving a sum of money with the court);

<u>custody</u> -	the state of being in prison, especially while waiting for trial;
<u>to presume</u> -	to accept that sth is true until it is shown not to be true, especially in a court of law;
<u>a sentence</u> -	the punishment given by a court of law;
<u>probation</u> -	a system that allows a person who has committed a crime not to go to prison if they behave well and if they see an official (<i>probation officer</i>) regularly for a fixed period of time;
<u>mandatory</u> -	required by law; compulsory;
<u>a penalty</u> -	a punishment for breaking a law, rule or contract;
<u>to house</u> -	to provide a place for sb to live;
<u>to foster</u> -	to encourage sth to develop;
<u>involvement</u> -	the act of taking part in sth.

QUESTIONS

1. What is the aim of criminal justice?
2. What does the sentence for a crime depend on?
3. What penalties are imposed on a convicted person?
4. What is the purpose of the prison system activities?
5. What are the types of imprisonment institutions?

TEST YOUR KNOWLEDGE

Exercise 1. True or false:

1. The criminal justice helps victims of crime to punish those who are found guilty.

	<i>True</i>
	False

2. The detainee may confiscate the proceeds from serious crime such as drug trafficking, robbery and fraud.

	<i>True</i>
	False

3. The Government does not control the possession of firearms. It prevents terrorism.

	<i>True</i>
	False

4. Law enforcement is carried out by police forces. Police officers are normally armed and there are lax limits to police powers of arrest and detention.

	<i>True</i>
	False

5. Most accused people are released on bail pending trial.

	<i>True</i>
	False

6. Community sentences or custody may be imposed on a convicted person of murder.

	<i>True</i>
	False

7. The purpose of the prison system is to provide effective measures for security and control, constructive relationships between prisoners and staff, man and women and useful programs for prisoners.

	<i>True</i>
	False

8. The Government is seeking to mute private sector involvement in the prison system functioning.

	<i>True</i>
	False

Exercise 2. Give Lithuanian equivalents for the following:

1. to deal fairly with the suspected or the accused –
2. the proceeds from serious crime –

3. exceptional powers for dealing with –
4. possession of firearms is regulated -
5. to be released on bail pending trial –
6. to be remanded in custody –
7. The accused is presumed innocent until proven guilty -
8. effective measures for security and control-
9. constructive relationships between prisoners and staff -
10. to foster greater private sector involvement -

Exercise 3. Translate the text using clue-words from the box:

Remote way	Code of Criminal Procedure	with his consent	inquest
testify	peculiarities	interrogation	criminal act
pre-trial investigator	prosecutor	exceptional cases	to postpone
false testimony	criminal liability	transmission measures	

Atsako prokuroras: apklausa ikiteisminio tyrimo metu

Liudytojo apklausos ypatumai numatyti LR Baudžiamojo proceso kodekso 183 straipsnyje. Ji paprastai vyksta ikiteisminio tyrimo pareigūno ar prokuroro kabinete. Išimtiniais atvejais ji gali vykti ir kitur (pvz., liudytojui esant ligoninėje ir negalint apklausos atidėti, galima nuvykti į liudytojo buvimo vietą ir ten jį apklausti). Atskirais atvejais, apklausti jį galima „neakivaizdiniu būdu“ – naudojant vaizdo ir garso nuotolinio perdavimo priemones.

Jeigu liudytojas yra įtariamą ar kaltinamą šeimoms narys arba artimas giminaitis, pareigūnas tokiam asmeniui privalo išaiškinti, kad jis gali būti apklausiamas kaip

liudytojas tik jam sutikus ir privalo perspėti liudininką dėl baudžiamosios atsakomybės už melagingų parodymų davimą (LR Baudžiamojo kodekso 235 str.).

Įtariamojo apklausa visuomet prasideda nuo klausimo – ar jis prisipažįsta padaręs nusikalstamą veiką, kurios padarymu įtariamas. Įtariamojo apklausoje gali arba privalo dalyvauti gynėjas. Liudytojas gynėjo paslaugomis per apklausą naudotis negali.



11. CIVIL AND CRIMINAL PENALTIES

Punishment is a complex concept which arouses great emotion. It sometimes involves the infliction of pain on one person by another. The right to inflict pain comes from the authority whether it is parent to child, teacher to pupil or judge to offender.

There are several kinds of punishment available to the courts. In civil cases, the most common punishment is *a fine*, which is also used for criminal offenses when the offence is not very serious one and the offender has not been in trouble before.

Another kind of punishment in some countries is *community service*. This requires the offender to do a certain amount of unpaid work, usually for a social institution such as a hospital.

For crimes that are more serious, the usual punishment is *imprisonment*. Some prison sentences are *suspended*: the offender is not sent to prison if he keeps out of trouble for a fixed period of time, but if he does offend again both the suspended sentence and any new one will be imposed. The length of sentences varies from a few days to a lifetime. However, *a life sentence* may allow the prisoner to be released after a suitably long period if a review board agrees his detention no longer serves a purpose.

In some countries, there is also *corporal* punishment (physical). In Malaysia, Singapore, Pakistan, Zambia, etc., courts may sentence offenders to be *caned or whipped*. In Saudi Arabia, theft and possession of alcohol may be punished *by cutting off* the offender's hand or foot. The *ultimate* penalty is death (capital punishment). It is carried out by hanging (Kenya); electrocution, gassing or lethal injection (U.S.); beheading or stoning (Saudi Arabia); or shooting (China). However, almost half the

countries of the world ceased to use the death penalty. They believe that execution is cruel and uncivilized.

Capital punishment involves not only (1) the pain of dying but also (2) the *mental anguish* of waiting, sometimes for years, to know if and when the sentence will be carried out. There is also (3) no evidence that it deters people from committing murder any more than imprisonment does. A further argument is that, should a mistake be made, it is (4) too late to rectify it once the execution has taken place.

As the debate about capital punishment continues, the phenomenon of *death row* (people sentenced but still alive) increases.

WORD BANK

<u>to inflict</u> -	to force someone or something to experience something unpleasant;
<u>a fine</u> -	a sum of money that must be paid as punishment for breaking a law or rule;
<u>a community service</u> -	work helping people in the local community that sb does without being paid, either because they want to, or because they have been ordered to by a court of law as a punishment;
<u>imprisonment</u> -	when sb is put in a prison or another place from which they cannot escape;
<u>to suspend</u> -	to officially delay sth; to arrange for sth to happen later than planned;

<u>to impose</u> -	to order that a rule, punishment, etc. be used;
<u>a corporal punishment</u> -	the physical punishment of people, especially by hitting or beating them;
<u>an ultimate penalty</u> -	the most extreme and severe punishment, that of death;
<u>mental anguish</u> -	suffering or unhappiness happening in the mind of sb;
<u>to deter</u> -	to make sb decide not to do sth, especially by making them understand the difficulties and unpleasant results of their actions;
<u>to rectify</u> -	to put right sth that is wrong; to correct;
<u>death row</u> -	the cells in a prison for prisoners who are waiting to be killed as punishment for a serious crime.

QUESTIONS

1. What are the kinds of punishment?
2. Give samples of corporal punishment.
3. What types of capital punishment exist in the world?
4. Why is there much argument about the ultimate punishment?

TEST YOUR KNOWLEDGE

Exercise 1. Complete the following sentences with the correct form of the words and phrases:

ambivalent	oft-quoted	victim	offender	lieu
imposed	retributive		loss of liberty	
	restriction		court proceedings	

The most extreme form of punishment which can be 1. _____ in British society is imprisonment. One of 2. _____ aphorisms is that ‘People are sent to prison *as* punishment, not *for* punishment’. The only additional punishment should come about as a direct consequence of 3. _____ and not through any added penalties imposed by the prison system, such as 4. _____ of diet or prohibition of contact with family or insanitary living conditions. One of the purposes of punishment is that the person who is subjected to punishment will be less likely to commit further offences or crimes in the future. The judge like the parent of the child punishes an 5. _____ for his or her ‘own good’, in order to help the offender to become a better person. The offender who goes to prison regards imprisonment as 6. _____. The victim of the offence is meant to benefit from the outcome of 7. _____. The public is at best 8. _____ – unsure whether the process of justice is working or not, so all parties are left dissatisfied. There are already examples of forms of justice in 9. _____ of imprisonment which better meet the needs of the 10. _____, of the offender and of society.

Exercise 2. Choose a word or phrase A, B, C or D which best completes each sentence:

1. _____ the trial has finished, she is free to do whatever she wants.

A Since when B At last C Now that D Just now

2. The court accepted his evidence, _____ of his reputation as an unreliable witness.

A even though B besides C in spite D despite

3. _____, most of the crimes investigated by the police involve people in their twenties.

A In retrospect B by and large C to a degree D All things considered

4. Henrik is alleged to have _____ a number of serious crimes

A done B made C committed D discharged

5. Many people thought that the sentence he received was unnecessarily _____ .

A Heavy B strong C big D weighty

6. The defendant pleaded not guilty, claiming he had been _____ .

A set up B set down C set off D set to

7. He was caught _____ stealing money from the cash-box.

A red-handed B heavy-handed C light-fingered D heavy-set

8. You can't have burgled the house alone, so who was your _____ .

A ally B accomplice C assistant D associate

9. She will shortly _____ trial for the part she played in the recent robbery.

A give B perform C make D stand

10. Detectives are said to be _____ into the causes of the recent fire.

A looking B investigating C checking D searching

11. The villagers _____ the law into their own hands by organizing armed patrols of the area.

A took B Seized C grabbed D put

12. _____ the conflicting evidence, the court had no alternative but to acquit the leader of the gang.

A By means of B With a view to C In view of D In response to

13. The Prime Minister is currently _____ charges of corruption and perjury.

A standing B confronting C facing D undergoing

14. Did you hear that Robert has been _____ with illegal possession of firearms?

A accused B convicted C arrested D charged

15. The lack of evidence _____ me question the testimony of the police.

A prompted B caused C forced D made

16. The judge _____ the jury to take their time over reaching the verdict.

A suggested B advised C demanded D insisted

Exercise 3. Translate the text using words given in the box:

common option	imprisonable offence	magistrates
criminal justice process	Imprisonment	restorative justice
laid down	sentencing guidelines	Community sentences
consistency	repeat offenders	amends

Laisvės atėmimas

Piniginės baudos yra labiausiai įprastas pasirinkimas, naudojamas teismuose.

Bendruomenės nuosprendžiai gali būti ‘atstatantys teisingumą’ – t.y. atlyginant nuostolius tiesiogiai nusikaltimo aukai. Pati žiauriausia bausmė, įkalinimas, taikomas tik įvykdžius pačius rimčiausius nusikaltimus.

Jei nusikaltimas yra įkalinamasis teisės pažeidimas, tai už jį bus paskirtas maksimalus Parlamento nustatytas terminas. Teisėjams ir magistratų teisėjams yra taip pat duotos gairės, suteikiančios nuoseklumą visam kriminaliniam procesui. Yra nustatytos fiksuotos minimaliausios bausmės kai kuriems pakartotinai pažeidusiems įstatymą asmenims.



12. CIVIL LAW

Civil law is a body of rules that defines and protects the private rights of citizens, focuses on resolving disputes between parties and providing compensation to victims, and covers areas of law such as *contracts*, *torts*, *property* and *family law*. There are many categories of civil law, namely:

- a. *Contracts*: binding agreements between people or companies;
- b. *Torts*: wrongs committed by one individual against another individual's person, property or reputation;
- c. *Property law*: this includes the law relating to land, and the ownership and possession of goods.
- d. *Company law*: regulates the relationship that a company has with its directors, shareholders, creditors, and employees.
- e. *Commercial law*: this term covers contractual matters relating to business transactions, for example the law relating to sale of goods, consumer credit and cheques.
- f. *Labour law*: deals with contractual relationships between employer and employee. The term also includes redundancy, unfair dismissal, health, and safety at work.
- g. *Family law*: marriage, divorce, nullity, guardianship and legitimacy are within the scope of the family law.

The Lithuanian legal system is principally based on the legal traditions of continental Europe. During Soviet occupation, the Lithuanian legal system was significantly altered to conform to that of the USSR, but since 1990 it has been changed.

The recent decades were important in the reforming of the Lithuanian legal system. In 2001, the new **Civil Code** came into effect. Other important codes (Code of Civil Procedure, Criminal Code, Code of Criminal Procedure, Code of the Execution of Penalties, Labour Code) were newly re-enacted by the Parliament, and entered in force in 2003. Moreover, the Lithuanian laws have been harmonised with the *acquis communautaire* (bendrystės įgytis) of the EU in order to become a member state as of 1 May 2004.

WORD BANK

<u>binding-</u>	that must be obeyed because it is accepted in law;
<u>a transaction -</u>	a piece of business that is done between people, especially an act buying or selling;
<u>a consumer -</u>	a person who buys goods or uses services;
<u>redundancy -</u>	the situation when sb has to leave their job because there is no more work available for them;
<u>a dismissal -</u>	official removal of sb from their job;
<u>nullity -</u>	the fact of sth (marriage) having no legal force or no longer being valid;
<u>a scope -</u>	the range of things that a subject, an organization, an activity, etc. deals with;
<u>to alter –</u>	to change in character or composition, typically in a comparatively small but significant way;
<u>to conform to -</u>	to obey a rule or reach the necessary stated standard, or to do things in a traditional way;
<u>to enter in force -</u>	to become valid or active, start existing;

QUESTIONS

1. What is civil law?
2. What are the main categories of civil law?
3. What issues are in the scope of the family law?
4. Why has the Lithuanian law system been altered?

TEST YOUR KNOWLEDGE

Exercise 1. Write the appropriate word or phrase for the given definition:

1. A person against whom court proceedings are brought; the party that is accused in court of a crime or a civil offense.

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2. The party that starts or carries out criminal proceedings in criminal court.

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3. The areas of law in which both parties are usually private citizens or companies; private law as opposed to Criminal Law and Administrative Law.

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4. Illegal conduct for which a person may be prosecuted and punished by the state.

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5. The party that starts or carries out civil proceedings.

--	--	--	--	--	--	--	--	--

6. Wrongdoing for which a private citizen or company is sued by another private citizen.

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7. The areas of law which involve the state as one of the parties to an action.

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8. A method which the law gives to prevent, put right or compensate a wrong (damages and injunctions are civil remedies).

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Exercise 2. Write the English equivalents:

1. Sumokėti teismo išlaidas -

2. Priteisti atlyginti žalą -

3. Įpareigojantis susitarimas -

4. nusikaltimas prieš valstybę -

5. išdavystė -

6. nusikaltimas, kuris neatneša žalos konkrečiam asmeniui -

7 siekti kompensacijos -

8. pradėti civilinius veiksmus –

Exercise 3. Find (14) names of crime:

A	R	M	E	D	R	O	B	B	E	R	Y	S	D
B	U	M	A	N	S	L	A	U	G	H	T	E	R
V	J	U	S	F	C	V	T	R	Q	S	P	X	U
C	P	R	S	R	X	B	T	G	A	P	A	U	G
D	M	D	A	A	Z	M	E	L	S	E	R	A	D
X	O	E	U	U	D	N	R	A	D	E	K	L	E
I	N	R	L	D	H	Q	Y	R	F	D	I	A	A
J	E	Y	T	H	E	F	T	Y	G	I	N	S	L
H	Y	H	O	M	I	C	I	D	E	N	G	S	I
R	L	A	U	N	D	E	R	I	N	G	O	A	N
F	P	Q	Y	A	Y	S	D	F	G	Z	P	U	G
P	E	O	P	L	S	D	F	G	H	J	K	L	L
B	Q	W	D	E	R	F	T	G	Y	H	I	T	P

Match the names to the definitions:

- _____ a generic term for the killing of another person;
- _____ any instance in which one party deceives or takes unfair advantage of another;
- _____ attempt to use illegal force on another person ;
- _____ attempt to use illegal force on another person in the absence of consent to sexual relations;
- _____ attempt to transform illegally acquired money into apparently legitimate money;

6. _____ driving a vehicle in excess of the permitted limit;
7. _____ leaving one's vehicle in excess of the permitted limit;
8. _____ possession of and /or trading in illegal substances;
9. _____ taking the property of another without right or permission;
10. _____ the actual use of illegal force on another person;
11. _____ the crime of breaking into a private home with the intention of committing a felony;
12. _____ the unlawful killing of a person without malicious intent and therefore without premeditation;
13. _____ the unlawful taking of another's property using a weapon;



13. FAMILY LAW

Beyond the function of providing a new generation of children, the family is often promoted for its moral contribution to society.

In some societies, the family is thought to be so important that there is very little legal intervention in family life. In many Islamic countries, for example, fathers, brothers and sons are allowed considerable authority over the females in their family. But in most parts of the world, the law now promotes the rights of individuals within the family unit, and regulates family relations through legislation.

Child Benefit is paid directly to the mother, and retirement pensions are paid to grandparents, so that they are less dependent upon financial support from a family member. In Sweden, parents can be prosecuted for physically punishing their children and children have a limited capacity to divorce their parents. In Britain, as in many countries, there are special family courts with very strong powers to control and transfer private property in the interests of children. Much of the work done by the court is related with the welfare of children. In economically developed countries, there are limits on the type and amount of work a child is allowed to do.

Parents have a duty to make decisions, for example those concerning education, on behalf of their children. When parents are dead or absent, a legal guardian is appointed to make these decisions. Sometimes this is an adoptive parent - a person who legally adopts the child as his or her own and has all the rights and duties of a natural parent. Sometimes, it is a local authority, as in the case of children who have been taken into care because their parents are ill, in prison or unable to take care of them.

WORD BANK

<u>to promote</u> -	to help sth happen or develop;
<u>a contribution</u> -	an action or a service that helps to cause or increase sth;
<u>Child Benefit</u> -	money that the government regularly pays to parents of children up to a particular age;
<u>to prosecute</u> -	to officially charge sb with a crime in a court of law;
<u>capacity</u> -	the ability to do sth;
<u>welfare</u> -	the general health, happiness and safety of a person;
<u>on behalf of</u> -	as the representative of sb or instead of them;
<u>to be absent</u> -	to be not present in sth;
<u>a guardian</u> -	a person who is legally responsible for the care of another person, especially a child whose parents have died;
<u>to adopt</u> -	to take sb else's child into your family and become its legal parent(s);
<u>a natural parent</u> -	a father or mother related to a child by blood, not adopted;
<u>a local authority</u> -	an institution or organization which has the power to make decisions in a particular area or district.

QUESTIONS

1. What legal practice regarding the family life is pursued in different cultures?
2. How do courts in various countries assist in protecting children's interests?

3. Who can take care of the children under age?

4. What do you think are parent and children's duties in the family?

TEST YOUR KNOWLEDGE

Exercise 1. Choose one area that Family Law covers and match with the definitions.

Marriage	Divorce	Estate Planning	Insurance
Children's Rights	Adoption	Child Custody	Estates and Trust

1. _____

The process by which a legal parent-children relationship is created between individuals, not biological parent and child relationship.

2. _____

The parents of the child born within a marriage are joint guardians of that child and the rights of both parents are equal.

3. _____

Children are generally afforded the basic rights embodied by the constitution.

4. _____

As a result of this both parties' status becomes single again.

5. _____

The process by which an individual or family arranges the transfer of assets in anticipation of death.

6. _____

Generally, a trust is a right in property (real or personal) which is held in a fiduciary relationship by one party for the benefit of another. The trustee is the one who holds title to the trust property, and the beneficiary is the person who receives the benefits of the trust.

7. _____

While types vary widely, their primary goal is to allocate the risks of a loss from the individual to a great number of people.

8. _____

A contract based upon a voluntary private agreement by a man and a woman to become husband and wife.

Exercise 2. Choose the right definition (A, B, C, D) to the word in bold:

1. to promote

A contribute to the progress or growth of

B stop someone (from) doing something

C someone who writes a story or article that is published in a newspaper or magazine

D according to schedule or without delay

2. a contribution

A installation

B communication

C duplication

D donation

3. Child Benefit

A performance to raise money for a charitable cause

B parenting

C is a social security payment

D day-care centre

4. to prosecute

A government official who conducts criminal prosecutions on behalf of the state

B shield from danger, injury, destruction, or damage

C bring a criminal action against

D show to be right by providing justification or proof

5. capacity

A welfare

B the quality of being capable

C lack of intellectual power

D power

6. on behalf of

A on my behalf

B as the agent of

C on one's behind

D to fall behind

7. to be absent -

A period of time when someone is not where they should be or where they usually are

B describes someone who tends to forget things

C to be late

D die out

8. a guardian

A guardrail

B not affording protection

C a bailee

D a person who cares for persons or property

9. to adopt

A lodge

B grab

C steal

D take into one's family

10. a natural parent

A real parents

B the parent tree

C whose genes are transmitted to the child

D the parent who does not have physical custody of the child

Exercise 3. Fill in the gaps with the words form the box:

Consent (3) domestic adoptive parents (2) circumstances (2) revoked
adopt commitment repute responsibilities guardians
biological parents eligibility

Adoption is the process where the legal relationship between a child and his or her 1. _____ is severed and the child legally becomes the child of the 2. _____ .

Usually only children under 18 years of age can be adopted. Children who are 18 years or older can be adopted in special 3. _____. In order for a child to be available for adoption, the parents or 4. _____ of the child are required to give their 5. _____. In certain 6. _____, for example, where the child has been abandoned, the court can make an adoption order without the 7. _____ of them.

Any 8. _____ to adoption of a child may be 9. _____ within 30 days. There are a number of 10. _____ criteria that apply to prospective 11. _____. In order to 12. _____ a child a couple must be living together in a 13. _____ relationship for a period of at least three years, and in the opinion of the court, have demonstrated the stability of, and a 14. _____ to, that relationship.

The court may make an adoption order if it is of the opinion that the applicants are persons of good 15. _____ and are fit and proper persons to fulfil the 16. _____ of parents of a child.



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14. MARRIAGE LAW. DIVORCE LAW

The law in most countries prefers legally registered marriages to social arrangements of just living together. In Britain, children born outside legitimate marriages have fewer rights to financial support from estranged fathers than legitimate children. Their fathers have no automatic right to have contact with them. Some welfare payments differ according to whether recipients are married or not. However, in most industrialized countries, the legal differences between the married and the unmarried are decreasing.

Dissolution. In English law, some marriages may be readily dissolved, or *nullified*, if: 1) the couple never consummated the marriage; 2) are blood relations; 3) are under the legal age of sixteen; 4) are both women, or, despite a surgical sex change, are both men. In other cases, a couple may seek a divorce. The procedure may be lengthy, especially if one spouse does not want to get divorced, or if there are children. In no case will English law allow divorce proceeding to start within a year of the marriage since it is thought this is too soon for the marriage to have tested itself.

Divorce. Once the process started, it is necessary for one of the parties to convince the court that the marriage has broken down irretrievably. To do this the person seeking, or petitioning for divorce, must prove one of five things:

- 1) the other party, or respondent, committed adultery (had sex with someone else);
- 2) the respondent's behaviour has been unreasonable;
- 3) the respondent deserted the petitioner at least two years previously;
- 4) the couple has lived apart for two years and both agree to a divorce;
- 5) they have lived apart for five years.

Even if the court is satisfied that there is enough evidence, a divorce will not be issued until satisfactory arrangements have been made for any children of the marriage, including determining who is to have custody of the children, the rights of the children to maintain contact with the other parent, and financial arrangement for the children's welfare.

The court has wide powers to order both an ex-husband and an ex-wife to make financial provisions for the other and for their children. This may include periodic payments, a lump sum of cash, transfer of property into the other spouse's name, or sale of property so that the money can be divided. In general, these orders are supposed to support the children and other spouse (usually the one taking care of the children; often the mother) until they become financially independent.

WORD BANK

<u>estranged</u> -	no longer living with the family; caused to be unloved, hostile or indifferent;
<u>to dissolve</u> -	to officially end a marriage, business agreement or parliament;
<u>to nullify</u> -	to make sth - such as an agreement or order - lose its legal force;
<u>to consummate</u> -	to make a marriage or a relationship complete by having sex;
<u>a spouse</u> -	a husband or a wife;
<u>irretrievably</u> -	never made right or got back;
<u>to petition for</u> -	to formally ask for sth in a court of law;
<u>a respondent</u> -	a person who is accused of sth ;
<u>a petitioner</u> -	a person who asks a court of law to take a particular course of action;

- evidence** - the information that is used in a court of law to try to prove sth;
- to issue** - to start a legal process against sb, especially by means of an official document;
- custody** - the legal right or duty to take care of or keep sb.

QUESTIONS

1. What are the legal differences applied to children of married and unmarried parents?
2. When can a marriage be dissolved in England?
3. What should the proofs for a divorce be?
4. How are children in a divorced family supported?

TEST YOUR KNOWLEDGE

Exercise 1. Give the word for each definition:

1. Describes a husband or wife who is not now living with the person they are married to

2. In divorce cases it is the right to house and care for and discipline a child

3. Bring the association of to an end or cause to break up

4. Bring out an official document

5. Someone who petitions a court for recovery of a right

6. To make a legal agreement or decision have no legal force

7. The co-defendant, especially in a divorce proceeding

8. The completion of marriage by sexual intercourse

9. A person's husband or wife

10. In the manner of the impossible correction or possibility return to a previously existing situation or condition:

Exercise 2. Fill in the gaps with the active words:

1. They're _____ for better facilities for disabled people on public transport.
2. It is the reflection of her _____ lost beauty.
3. In 60% of the households surveyed both _____ went out to work.
4. The decree officially _____ the marriage.
5. Your guests are now in my _____ .
6. Her busy schedule _____ her from her duties as a mother.
7. The state death penalty law was _____ in 1977.
8. The marriage was never _____ .

Exercise 3. Translate the following into English:

1. įstatymas teikia pirmenybę legaliai įregistruotoms vedyboms, o ne šiaip gyvenimui drauge -
2. įteisintos vedybos -
3. parama iš negyvenančių kartu tėvų -
4. pašalpos -
5. panaikintos ar anuliuotos santuokos -
6. vienas iš sutuoktinių nenori skirtis -
7. santuoka sudužo negrįžtamai -
8. sutuoktinis buvo neištikimas -

9. yra pakankamai įrodymų -
10. skyrybos nebus paskelbtos, kol nebus pateikta įtikinamų argumentų -
11. kas privalo prisiimti vaiko globą -
12. vaiko pašalpa
13. teismas turi plačias galimybes paskirti abiem tėvams finansinę rūpybą vaikui -
14. sumokėti visą sumą iš karto -
15. paremti vaiką ir kitą sutuoktinį, kol jie taps finansiškai nepriklausomi -



15. INSURANCE LAW

Insurance in some form is as old as historical society. So-called *bottomry* contracts were known to merchants of Babylon as early as 4000–3000 BC. Under a bottomry contract, loans were granted to merchants with the provision that if the shipment was lost at sea the loan did not have to be repaid. The interest on the loan covered the *insurance risk*. This was the beginning of *marine insurance*, which became highly developed in the 15th century. The *insurance contract* also developed early. It was already known in **ancient Greece**.

Fire insurance arose much later, since the **Great Fire of London** in 1666. A number of insurance companies were started in England after 1711, during the so-called *bubble era*. Many of them were fraudulent, get-rich-quick schemes concerned mainly with selling their securities to the public. Nevertheless, two important and successful English insurance companies were formed during this period—the **London Assurance Corporation** and the **Royal Exchange Assurance Corporation**. Their operation marked the beginning of modern *property and liability insurance*.

The *international insurance market* is **Lloyd's of London**. It began in the 17th century as a coffeehouse patronized by merchants, bankers, and *insurance underwriters*, gradually becoming recognized as the most likely place to find underwriters for marine insurance. Edward Lloyd supplied his customers with shipping information gathered from the docks and other sources; this eventually grew into the publication *Lloyd's List*, still in existence. Lloyd's was reorganized in 1769 as a formal group of underwriters accepting marine risks. Today Lloyd's is a major reinsurer as well as primary insurer of marine risks, fire and other property risks.

Insurance is a contract in which one party (the "insured") pays money (called a premium) and the other party promises to reimburse the first for certain types of losses (illness, property damage, or death) if they occur.

The insurance company will hire lawyers to represent the insured in case it is sued for something related to its insurance contract. These are known as **insurance defence attorneys**. The insurance law helps insured people determine when an insurance company must pay a claim. Insurance companies typically hire attorneys to make sure the company complies with all applicable laws and regulations, which can vary from country to country.

There are many types of insurance. The government runs some kinds of insurance, like **Social Security disability, worker's compensation, and unemployment insurance**. However, the term "insurance law" usually refers to the law surrounding private insurance. The most common types of private insurance are **health insurance, automobile liability insurance, homeowner's insurance, life insurance, title insurance, and malpractice insurance**.

Some insurance companies allow their insured to pick their own attorney, who work to zealously represent the insured. If an insurance defence attorney represents you, be sure you understand everything that happens in your case, and do not be afraid to ask questions.

WORD BANK

a bottomry contract - a maritime contract (now almost obsolete) by which the owner of a ship borrows money for equipping or repairing the vessel and, for a definite term, pledges the ship as security;

a policy – a contract which outlines what the insurance company will pay in case of loss;

<u>a benefit</u> –	the money or services the insurance company provides in case of loss;
<u>the beneficiary</u> –	the person who receives the insurance benefit;
<u>a premium</u> –	the money the insured pays the insurance company;
<u>a claim</u> –	a request for benefits when loss occurs;
<u>coverage</u> –	the types of losses which the insurance company will reimburse;
<u>to reimburse</u> –	to make repayment for expense or loss incurred; to refund;
<u>applicable</u> –	relevant, suitable, appropriate;
<u>securities</u> -	a certificate attesting credit, the ownership of stocks or bonds, etc.;
<u>an underwriter</u> –	an insurance agent, insurance broker, a general agent, an insurance company, an insurer;
<u>to reinsure</u> –	to insure again, especially by transferring all or part of the risk in a contract to a new contract with another insurance company.

QUESTIONS

1. What is a bottomry contract?
2. What English insurance companies were formed in the 18th century?
3. How did Edward Lloyd influence the insurance business?
4. What are insurance defence attorneys' functions?
5. What types of insurance do you know?

TEST YOUR KNOWLEDGE

Exercise 1. Complete the sentences putting Lithuanian words in English. Use terms from the text:

1. Loans were granted to *pirkliams* with the provision that if the *kroviny*s was lost at sea the *paskola* did not have to be repaid.
2. Many of them were fraudulent, *greito praturtėjimo planai* concerned mainly with selling their *akcijos, vertybiniai popieriai* to the public.
3. Operation of London insurance companies marked the beginning of modern *turto ir civilinės atsakomybės draudimas*.
4. A coffeehouse *globojamas* by merchants, bankers, and *draudimo agentų*.
5. The insurance law helps insured people determine when an insurance company must *atlyginti patirtus nuostolius/žalą*.
6. Insurance companies typically *pasamdo, įdarbina* attorneys to make sure the company *veikla atitinka* all applicable *įstatymus*.

Exercise 2. What do the following types of insurance deal with?

- A. marine insurance –
- B. fire insurance –
- C. property and liability insurance –
- D. health insurance -
- E. automobile liability insurance –
- F. title insurance –

G. malpractice insurance -

H. life insurance –

Exercise 3. Translate into English:

Bendrosios ir produkto civilinės atsakomybės draudimas

Įmonės bendrosios civilinės atsakomybės draudimas atlygina žalą tretiesiems asmenims ar jų turtui arba žalą dėl aplinkos taršos, kilusią dėl tiesioginės įmonės veiklos, jei įmonė pagal galiojančius įstatymus yra pripažįstama kalta sukėlusiai šią žalą (pvz., dėl įmonės teritorijoje kilusio ir išplitusio gaisro buvo sugadintas/sunaikintas šalia esantis trečiųjų asmenų turtas, žuvo/buvo sužaloti žmonės).

Įmonė (gamybos, prekybos, statybos, paslaugų teikimo) taip pat atsako vartotojui (užsakovui) už gaminių, atliktų darbų, parduotų prekių ar suteiktų paslaugų patikimumą ir kokybę. Galimi atvejai, kai pagamintas ar parduotas produktas ar suteikta paslauga gali padaryti žalos tiesiogiai vartotojui (jo sveikatai ar gyvybei) arba jo turtui, pvz., apsinuodijimas maistu, automobilio gedimas dėl netinkamos degalų kokybės ir pan. Tuomet nukentėjęs asmuo pareiškia pretenziją dėl patirtų nuostolių atlyginimo.

Profesinės civilinės atsakomybės draudimas

Profesinės civilinės atsakomybės draudimas atlygina nuostolius trečiajai šaliai dėl įmonės darbuotojų netyčinio aplaidumo, neapdairumo, klaidų ir pan., kurių gali pasitaikyti jų profesinėje veikloje. Tačiau šiuo draudimu nedraudžiami nesąžiningi, nusikalstami, tyčiniai darbuotojų veiksmai.

Profesinės civilinės atsakomybės draudimas skirtas įmonėms, vykdančioms profesinę veiklą: auditoriams, medicinos įstaigoms, notarams, advokatams, architektams, draudimo brokeriams, muitinės tarpininkams, turto vertintojams, antstoliams ir pan. Daugelyje šalių (taip pat ir Baltijos šalyse) šis draudimas yra privalomas nemažai daliai veiklos sričių.



16. RUNNING A BUSINESS. TYPES OF ORGANIZATION

If you want to set up a business, you should choose between the following types of business units: Sole Trader; Partnership; Limited Liability Company (or Corporation).

A **sole trader** is a person of at least 18 years of age who provides capital from his own resources and he alone is fully responsible for the management of the enterprise and must bear all risks.

A partnership is legally defined as the relationship, which exists between persons carrying on business in common with a view to profit. In an **Ordinary Partnership**, the capital is supplied by the partners and they are fully liable for the losses in the company. Profits and losses are divided proportionally according to the partnership agreement. In a **Limited Partnership**, there is at least *one* fully liable partner; the other partners bear responsibility depending on the capital invested.

Speaking about **companies**, the corporate capital is divided into shares, and shareholders' liability is limited to *the nominal value* of the share. In return for buying shares, the shareholder has the right to receive a proportion of the company profits in the form of *dividend*. In a **Private Limited Company**, shares can only be transferred, i.e., bought and sold, with the consent of the company. In a **Public Limited Company**, investment comes from the public, i.e. the company may appeal to the public to subscribe to its shares. The company is run by a *Board of Directors* elected at an *Annual General Meeting* of the shareholders. There is also *the Supervisory Board*, which carries out supervision of the activities of the Board and the CEO, and provides the feedback and suggestions concerning the Company's strategy, finances, activities and decisions to the general meeting of shareholders, the Board, the CEO, and so on.

Both private and public limited companies are corporations, "legal persons" created by law, i.e. legal entities.

Selling shares is one of the ways to raise capital. Companies also issue debentures, or bonds, in return for loans. Debenture holders are entitled to an annual payment of interest.

WORD BANK

<u>a limited company</u> -	a company whose owners only have to pay a limited amount of its debts;
<u>to bear risks</u> -	to do sth even though you know that sth bad could happen as a result;
<u>liability</u> -	the state of being legally responsible for sth;
<u>a partnership</u> -	a relationship between two people, organizations or countries that work together;
<u>a nominal value</u> -	(= <i>par value</i>) the stated value of a share or a bond, etc. when it is issued (= sold for the first time);
<u>consent</u> -	permission to do sth, especially given by sb in authority; agreement about sth;
<u>a legal person</u> -	an organization considered as a person for legal purposes ;
<u>an entity</u> -	an organization considered as a separate, independent unit for legal purposes;
<u>to raise capital</u> -	to increase the amount of capital;

a debenture - an official document that is given by a company, showing it has borrowed money from a person and stating the interest payments that it will make to them;

a bond - an agreement by a government or a company to pay you interest on the money you have lent; a document containing this agreement.

QUESTIONS

1. Define typical business units.
2. What are the ways of raising capital in a company?
3. What are self-governing bodies in a limited company?

TEST YOUR KNOWLEDGE

Exercise 1. Match the following titles from the regulations for registration to the extracts from the details:

Titles

1. What are *the articles of association*? _____
2. Can anyone be a company director? _____
3. What company types are there? _____
4. What is the minimum number of officers a company requires? _____
5. Who can form a company? _____

6. Can I choose any name I want for my company? _____
7. How do I form a company? _____
8. What is a registered office? _____
9. What is a *memorandum of association*? _____

Extracts from the details

- a** A public company or an unlimited company must have at least two subscribers.
- b** it is the address of a company to which letters and reminders will be sent.
- c** This document sets out the rules for running the company's internal affairs.
- d** By sending a memorandum of association, the articles of association, the details of the directors and the company secretary, and a statement of legal compliance.
- e** On condition that you are not:
- An undischarged bankrupt or disqualified by a court from holding a directorship;
 - Over 70 years of age.
- f** This document sets out the company's name, the address of the company's registered office and the object (the main business activity) of the company.
- g** Private companies limited by shares, private companies limited by guarantee (partnerships), private unlimited companies (sole-traders).
- h** You cannot:
- Register the same name as another company;

- Use certain words;
- Use names likely to cause offence.

i Every company must have a formally appointed officer at all times.

A private company must have at least:

- One director;
- One secretary – formal qualifications are not required. A company’s sole director cannot also be the company secretary.

A public company must have at least:

- Two directors;
- One secretary – formally qualified.

Exercise 2. Translate the excerpt from the *Shareholder’s Agreement* into Lithuanian:

Each of the Shareholders represents to the other that it has taken all necessary other actions to enable his validity to accept and perform the obligations required under the terms of this Agreement and that performance of the provisions of this Agreement will not result in a breach of or constitute a default under any agreement or other contractual restriction binding upon him.

The Shareholders undertake with each other that they shall not commit any related activity or become involved in any business other than that of the Company without the prior written consent of the other parties, and that they shall during such period use all reasonable endeavours to promote the interests of the Company and as devote to its business their respective time, attention, and resources as are reasonably required for the efficient and profitable conduct of the business of the Company.

Exercise 3. Insert words from the box into the sentences:

public multinational corporation B2B joint venture subsidiary
private limited company holding franchise partnership public
limited company listed sole trader

1. A is a private individual who runs a one-man business. He/she takes all the profits but also all the risks.
2. There are different kinds of, but they are all associations of two or more people sharing the risks and the profits in agreed proportions.
3. A cannot offer its shares or debenture to the general public. Nor can shares be transferred between members without the consent of the other shareholders.
4. A must have a minimum nominal share capital of 50,000 (in England). Shares can be freely bought and sold by members of the public.
5. A or parent company owns more than half the share capital of another company which is known as a
6. A is an agreement by which a franchiser gives another person or company (the franchisee) the right to sell goods or services using the franchiser's name and/or general business approach in return for a royalty.

7. A involves the pooling of resources of two or more companies in a common undertaking in which each party contributes assets and shares risks. It is not necessary for the partners to have an equal stake. The type of contribution varies and many consist of funds, technological skills, plant and machinery, or labour.
8. A is a firm, which owns or controls production or services outside the country in which it is based. Examples include Exxon (USA), Unilever (The Netherlands/GB), Nestle (Switzerland), and Nissan (Japan).
9. A company whose shares can be traded on a country's main stock market is called a company.
10. A business, which is owned by many people who have bought shares in it, is called a company.
11. Business arrangements or trade between different businesses, rather than between businesses and the general public, describes *business-to-business* relationship or



17. INTELLECTUAL PROPERTY. PATENTS AND COPYRIGHT

In general, it is not against the law to steal someone else's ideas. If a man I meet in a bar tells me how people can become rich, and I publish a best-selling book based on his ideas, I do not have to pay him any money or even mention his name in the book. However, most countries do place legal limits on copying the exact words someone has written, the art or music they have created, or the technology they have invented. Such work is known as *intellectual property*. The main legal instruments for protecting it are **patents** and **copyrights**.

In order to prevent a new discovery or scientific process from being copied, it is necessary to apply for a patent. If granted, a patent makes it illegal for others to manufacture or use the invention without permission. However, a patent will only be granted if the invention has not yet been shown in public and if it has industrial application. Ideas - mathematical and scientific theories, for example - cannot be patented.

Literature, artistic works, computer programs, movies and radio and television broadcasts cannot be patented, but they can be protected by copyright. In most countries, such work is automatically protected when it is created; there is no need to apply for or register copyright. It is usual to record the date of creation and mark it with the international copyright symbol ©. The **Universal Copyright Convention (UCC)**, adopted in **Geneva**, Switzerland, in 1952, is one of the two principal international conventions protecting copyright; the other is the **Berne Convention**.

In Britain, the 1988 **Copyright, Designs and Patents Act** covers a work of art, music, drama or literature, computer software, for 70 years after the author's death;

sound recordings, films, and broadcasts for 50 years after they are made or first broadcast; and other writings for 25 years after the first publication.

Intellectual property can only be protected if ownership is clear. A copyright is usually owned by the creator of the work - the writer, painter or musician - but like other property, it might be passed to someone else. If a journalist is employed by a newspaper then the articles he writes are usually the copyright of the newspaper owner. The copyright in a movie is owned by the filmmaker, not by individual writers or performers. The copyright of a book is held by the publishers who commissioned it.

WORD BANK

- a patent** - an official right to be the only person to make, use or sell a product or an invention; a document that proves this;
- a copyright** - if a person or an organization holds the copyright on a piece of writing, music, etc., they are the only people who have the legal right to publish, broadcast, perform it etc., and other people must ask their permission to use it or any part of it;
- to prevent** - to stop sb from doing sth; to stop sth from happening;
- to manufacture** - to make or produce goods in large quantities, using machinery;
- ownership** - the fact of owning sth;
- to commission** - to officially ask sb to write, make or create sth or to do a task for you (*e.g.* to produce a report, work of art, etc.);

QUESTIONS

1. What is intellectual property?
2. What is a patent? Why do we need it?
3. How does a copyright function?
4. Give names of the basic documents directly related to patents and copyright.

TEST YOUR KNOWLEDGE

Exercise 1. Write the appropriate word for the given definition:

1. Document granting exclusive right to publish and sell literary or musical or artistic work _____
2. Intangible property that is the result of creativity _____
3. An official document granting a right or privilege _____
4. To stop something from happening or someone from doing something _____
5. The act of making something from raw materials _____
6. The act of having and controlling property _____
7. formally choose someone to do a special piece of work, charge with a task

8. the greatest amount, number or level of something that is either possible or allowed

9. To design and/or create something which has never been made before _____

10. To give or allow someone something, usually in an official way _____

11. To send out a programme on television or radio _____

Exercise 2. Fill in the gaps with the necessary words:

1. We watched a live _____ of the concert.

2. Oil is used in the _____ of synthetic fabrics.

3. Should I _____ this invention?

4. Label your suitcases _____ confusion.

5. His disability _____ him (from) driving.

6. In 1880 Alexander Graham Bell was granted a _____ on an apparatus for signalling and communicating called a Photophone.

7. He works for a company that _____ toys.

8. His business interests include _____ of a county newspaper.

9. I'd like to play squash, but I'm sixty and I know my _____ .

Exercise 3. Translate the following text using the clue-words in the box bellow:

Encourage	intangible	to gain	efforts
broadcasting	on-line	moral rights	
trade secrets	established	to be identified	
trademarks	enables	issuing copies	

Teisėje intelektualioji nuosavybė leidžia jos turėtojui kontroliuoti neapčiuopiamų idėjų ir išraiškų naudojimą. Dažniausios intelektualios nuosavybės formos yra patentai, autorystės teisės, prekinis ženklas ir komercinės paslaptys.

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18. CONSTITUTIONAL LAW

Laws, which enable citizens to take legal action against the state-against, for example, a public authority or even against the government - are part of constitutional law.

A constitution is the political and ideological structure within which a system of laws operates. Most countries have a formal written Constitution describing how laws are to be made and enforced. The French Constitution sets a seven year term of office for the president; the U.S. constitution sets a four year term. The UK or New Zealand do not have a written constitution. In Switzerland, a referendum (national vote) must be held on any issue for which a petition signed by 10,000 people has been gathered, etc. Many countries put the constitution above other laws by making it difficult to change.

One of the reasons for having special constitutional laws is to prevent governments from becoming too powerful and from interfering too much in the lives of individuals. In the 18th century, French political philosopher **Montesquieu** developed the principle of separation of powers: the functions of the state could be divided into policy formulation and direction (executive), law-making (legislative), and interpretation and application of the law (judicial). These functions should be carried out by separate institutions. In the United States, for example, the president (executive) is elected by the people and attempts to carry out his or her policy promises through a presidential office of advisers. The Constitution gives him or her many important powers, such as control of the armed forces and appointment of the Supreme Court justices, but many of their decisions must be approved by a majority in the Congress (legislature), which is also elected by the people. Many presidents have had important policies blocked by the Congress.

Most constitutions also describe the fundamental rights of citizens. These usually include general declarations about freedom and equality. We can also consider the right of citizens to say and write what they want and to take part in public meetings and demonstrations.

It is difficult to compare the legal freedoms of countries with different cultures and economic levels. However, some comparison is possible since many countries have similar constitutional provisions and claim similar aims.

WORD BANK

- Constitution** - a set of basic laws or principles for a country that describe the rights and duties of its citizens and the way in which it is governed;
- a public authority** - an organization which is connected with the government and has powers to make decisions;
- a term of office** - a period of time of taking an important position of authority, especially in government;
- an adviser** - a person who gives advice, especially sb who knows a lot about a particular subject;
- a justice** - a judge in a court of law;
- a provision** - a condition or an arrangement in a legal document;
- to claim** - to gain, win or achieve sth.
- a people**- 1) all the men, women and children who live in a particular country; 2) a society.

QUESTIONS

1. What is a constitution?
2. What are the reasons for having special constitutional laws?
3. What was the impact of the French political philosopher Montesquieu?
4. What powers does the President of the United States have?
5. What fundamental rights do most constitutions describe?

TEST YOUR KNOWLEDGE

Exercise 1. Insert a suitable word from the box below:

inborn right	was amended	authorities	private ownership		
consumers	legal	inborn	to vote	efforts	approved

1. Constitution of the Republic of Lithuania was _____ by the citizens of the Republic of Lithuania in the Referendum on 25 October 1992 and _____ on 13 July 2004.
2. The Lithuanian nation established the State of Lithuania many centuries ago and built its _____ foundation on the Lithuanian Statutes and the Constitutions of the Republic of Lithuania.

3. The Lithuanians resolutely defended its freedom and independence for centuries, preserved its spirit, native language, writing, and customs and embodied the _____ of each person and the Nation to live and create freely in the land of their fathers, in the independent State of Lithuania.

4. The powers of government shall be limited by the Constitution and State _____ shall serve the people.

5. The second chapter of the Constitution 'THE INDIVIDUAL AND THE STATE' declares that Human rights and freedoms shall be _____; everyone's right to life shall be protected by law and liberty of an individual shall be inviolable, etc.

6. The Constitution guarantees the right for citizens who, on the day of election, are 18 years of age or over, _____ in the election.

7. Lithuania's economy shall be based on the right to _____, freedom of individual economic activity, and initiative.

8. The State shall support economic _____ and initiative that are beneficial for the community, regulate economic activity in such a way that it would serve the general welfare of the people, prohibit monopolisation of production and the market, and shall protect freedom of fair competition and protect the interests of the _____ .

Exercise 2. Fill each blank space with a suitable word from given in CAPITALS on the right:

1. The president _____ by a large majority.
(ELECT)

2. Nearly all British citizens over the age of 18 are members of the _____.
(ELECT)

3. The district _____ is the official who _____ births, marriages and deaths in a certain area.

(REGISTER)

4. Members of the lower house of the American Congress are called _____ .

(REPRESENT)

5. Our Constitution declare that no one may limit or restrict the _____ of the People or make claims to the _____ powers of the People. (SOVEREIGN)

6. Many _____ are in favour of changing the _____ system. (VOTE) (ELECT)

7. Parliament _____ the _____ of the special Commission last week.

(APPROVE) (RECOMMEND)

8. The right of _____ initiative in the Parliament shall belong to the members of the Parliament, the President of the Republic, and the Government. (LEGISLATE)

9. Local government Councils form _____ bodies which are accountable to them for the direct implementation of the laws of the Republic of Lithuania.

(EXECUTE)

10. In Lithuania, the powers of the State shall be exercised by the Parliament, the President of the Republic and the Government, and the _____.

(JUDICIARY)

Exercise 3. Choose the correct alternative:

1. The Road Traffic Act 1972 _____ that it is illegal to drive under the influence of drugs.

(1). legislates (2). amends (3). requires (4). provides

2. The exact effect of legislation is influenced by judicial _____.

(1). interpretation (2). custom (3). Sovereignty (4).
codification

3. Parliament is a _____ body.

(1). legislation (2). legislature (3). legislative (4). legislate

4. The Government lost the confidence, Parliament was dissolved and a/an _____
was called.

(1). General Election (2). electoral roll (3). by-election (4). election
campaign.

5. No one may limit or restrict the _____ of the People or make claims to the
sovereign powers of the People.

(1). sovereign (2). sovereignty (3). unsurpassed (4). unsurpassable

6. The term during which some position is held is called _____ .

(1). Terms of the lease (2). a term of office (3). speaking term (4). to come to
terms.

7. This contract includes a _____ for salary increases over time

(1). provision (2). provisions (3). provide (4). providence



19. INTERNATIONAL LAW

International law is not new. Nations have always made political and economic treaties with each other. Nevertheless, most international law was created in the twentieth century. **The League of Nations** was set up after World War I to regulate disputes between nations. However, it failed to stop the tension that led to World War II, partly because some powerful countries did not join (U.S.) and others left when they disagreed with its decisions (Germany, Japan). However, it led to important international legislation like **the Geneva Convention on the Treatment of Prisoners of War** and the 1951 **Convention on the Status of Refugees**.

International law encompasses a wide range of issues of international concern, such as human rights, disarmament, international crime, refugees, migration and problems of nationality, treatment of prisoners, the use of force and the conduct of war, among others. It also regulates the global decisions on the environment and sustainable development, international waters, outer space, global communications and world trade.

International Law (or **Public International Law**) consists of rules and principles which govern the relations and dealings of nations with each other. In contrast, **Private International Law** deals with controversies between private persons, natural or juridical, arising out of situations having significant relationship to more than one nation. In recent years, the line between public and private international law has become uncertain.

The European Community has also provided many interesting cases in the development of international law. Each member state has agreed to be bound by the EC decisions in the social and economic affairs.

With more international business and travel and a growing awareness that many socio-economic and environment problems need global solutions, at the same time, civil wars, refugee crises and protection of environment, prove the need for more international law.

More and more people are affected by activities of international importance. Pilots and air traffic controllers work within guidelines laid down by the 1944 **Chicago Convention**. Homeowners can turn to the 1972 **Convention on International Liability for Damage Caused by Space Objects** when space debris fall on their property (as happened to Canadians in 1979). Even Antarctica and outer space are subject to several pieces of legislation to prevent them becoming as dirty and dangerous as the rest of the world. **Conventions on Environmental Protection** passed in Geneva (1979), Vienna (1985) and Rio (1992) emphasized the seriousness of the problems. The 1982 **Law of the Sea** covers such matters as rights of passage through straits, deep-sea mining, and the rights of landlocked states, piracy and collisions.

But the number of disputes, hijackings and accidents gets more, not less. Such global organizations as NATO, UNO, UNESCO, UNICEF, WHO, EU, and others widely participate in international activities aimed at maintenance of peace and safety on Earth.

WORD BANK

- a treaty** - a formal agreement between two or more countries;
- to be bound** - to be forced to do sth by law, duty or a particular situation;
- a solution** - a way of solving a problem or dealing with a difficult situation;
- liability** - the state of being legally responsible for sth ;

debris - pieces of wood, metal, brick, etc. that are left after sth has been destroyed;

to be subject – to be under the authority of sth;

hijacking - the use of violence or threats to take control of a vehicle, especially a plane, in order to force it to travel to a different place or to demand sth from a government;

expansion - an act of increasing or making sth increase in size, amount or importance.

QUESTIONS

1. Why do nations need international law?
2. What issues does the International law embrace?
3. What are the basic international conventions?
4. What international organizations are concerned with global problems?

TEST YOUR KNOWLEDGE

Exercise 1. Complete the text about arbitration with words form the box:

Arbitration is a procedure for the resolution of disputes on a private basis through the appointment of an arbitrator, an independent, neutral third person who hears and considers the merits of the dispute and renders a final and binding decision called an award.

Adjudication	arbitration	arbitrator	decision-maker
dispute	documentation	duration	expensive
expert	forum	hearing	litigation
needs	submissions		

The process is similar to the 1. _____ process as it involves 2. _____. However, the parties choose their 3. _____ and the manner in which the 4. _____ will proceed. For example, if the 5. _____ is fairly straightforward and does not involve any factual questions, the parties may agree to waive a formal 6. _____ and provide the arbitrator with written 7. _____ and 8. _____ only, called the arbitration documents. However, in other cases the parties may wish a full hearing. Therefore, the parties create their own adjudicatory 9. _____ which is tailor-made to the particular 10. _____ of the parties and the nature of the dispute.

The advantages of arbitration over court adjudication can include the following:

- Expertise of the 11. _____ : The parties can choose an arbitrator who has 12. _____ knowledge of the law, business or trade in which the dispute has arisen.
- Low cost: Arbitration is not 13. _____ if the process is kept simple.
- Speed: Arbitration can be arranged within days, weeks or months.
- 14. _____ : Arbitration does not take as long a litigation.

Exercise 2. Classify the following legal areas into Public International Law or Private International Law:

adoption	arms control	asylum	contractual relations
divorce	environmental issues		human rights
immigration	international crime	maritime law	
piracy	war crimes		

<i>Public International Law</i>	<i>Private International Law</i>
environmental issues	

Exercise 3. Find the definitions of the key words:

- | | | |
|---------------|---|---|
| 1. convention | a | the customary method of performing or carrying out an activity that is followed by particular group of people |
| 2. sovereign | b | to give formal approval to something in order that it can become law |
| 3. conclude | c | self-governing and not ruled by another state |
| 4. binding | d | rule |
| 5. treaty | e | legally required |
| 6. usage | f | the action of following a rule or keeping to an agreement |
| 7. custom | g | legally binding agreement between states sponsored by an international organization |
| 8. regulation | h | legally binding agreement between two or more states |

20. THE HUMAN RIGHTS

We may agree that merely being born as a human being entitles us to certain freedoms and treatment, however, there are different opinions as to what these rights are. We should consider the nature of such rights. A constitutional right is one which a state guarantees to its own citizens and, sometimes, to foreigners who are within its jurisdiction. But a human right is one to which people all over the world are entitled, whatever their nationality and wherever they live.

Most countries of the world have signed international agreements concerning the treatment of individuals. Two examples of such agreements are **the Universal Declaration of Human Rights (UDHR)**, adopted by the UN General Assembly in 1948, and **the International Covenant on Civil and Political Rights (ICCPR)**, 1966. Article 1 of the UDHR declares that all human beings are born free and equal in dignity and rights, and Article 2 states that entitlement to rights does not depend upon race, colour, sex, language, religion, or any other difference among people.

Further articles refer to specific rights, such as:

Cur. No.	UDHR	ICCPR
1.	Freedom from slavery, torture and cruel punishment;	Provisions against torture and slavery;
2.	Freedom from arbitrary arrest and detention;	The right to racial and sexual equality;
3.	The right to a fair, independent and public hearing of a criminal charge;	Freedom of movement;

4.	The right to own property and choose employment	Freedom of thought and conscience; Freedom of religion.
5.	The right to express one's opinions and take part peacefully in assemblies.	

In 1950, after the establishment of the European Coal and Steel Community - the predecessor institute of the European Union, **the European Convention on Human Rights** (1950) was declared and has now been signed by every country of Western Europe. Individual citizens of these countries have the right to bring a complaint before the European Commission if they think their government has broken the Convention.

Despite the approved articles on freedom of speech and expression, there are, however, some legal limits put on citizens' behaviour. In some countries, the law bans the expression of any ideas that are against the interests of the State. Governments often restrict information in the interests of national security and the majority of the people. Passing military secrets to a foreign government may bring prosecution for treason – the crime of trying to betray or overthrow the state. Some societies prohibit speech and writing, which they think will directly incite physical violence or other illegal behaviour.

When the laws of a country violate human rights, groups like **Amnesty International** protest to the government on moral grounds. But despite the development of legally binding national and international conventions, millions of people in the world still do not enjoy human rights.

A very large area of the human rights law is concerned with **refugees**. Millions of people have fled from their own countries because of human rights abuses, political pressures or economic hardships; they need international guarantees that they will be treated fairly and humanely in foreign countries. A lot of them are seeking political asylum - the right to live in a new country - because of fears of what would happen to them if they returned.

WORD BANK

jurisdiction - an area or a country in which a particular system of laws has authority;

a covenant - a promise to sb or a legal agreement;

torture - the act of causing sb severe pain in order to punish them or make them say or do sth;

provisions - conditions or arrangements in a legal document;

arbitrary - using power without restriction and without considering other people;

detention - the state of being kept in a place, especially a prison, and prevented from leaving;

to violate - to go against or refuse to obey a law, an agreement, etc.

a refugee - a person who has been forced to leave their country or home, because there is a war or for political, religious or social reasons;

an abuse - unfair, cruel or violent treatment of sb;

an asylum - protection that a government gives to people who have left their own country because they were in danger for political reasons.

QUESTIONS

1. What is the difference between constitutional and human rights?
2. What are the main international agreements concerning treatment of individuals all over the world?
3. Could you enumerate basic human rights those documents proclaim?

4. Why do many people in the world still suffer from violation of human rights?
5. How should refugees be treated in foreign countries which they fled to?

TEST YOUR KNOWLEDGE

Exercise 1. Below are some extracts from the first 10 articles (there are 30 in all). Complete the text by choosing the correct word form the box:

Charge	detention	discrimination	exile
free	freedoms	law	liberty
remedy	rights	punishment	race
		slavery	tribunal

Article 1. All human beings are born _____ and equal in dignity and rights.

Article 2. Everyone is entitled to all the rights and _____ set forth in this Declaration, without distinction of any kind, such as _____, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or status.

Article 3. Everyone has the right to life, _____ and security of person.

Article 4. No one shall be held in _____ or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or _____ .

Article 6. Everyone has the right to recognition everywhere as a person before the _____ .

Article 7. All are equal before the law and are entitled without any _____ to equal protection of the law.

Article 8. Everyone has the right to an effective _____ by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, _____ or _____ .

Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial _____, in the determination of his _____ and obligations and of any criminal _____ against him.

Exercise 2. Translate into English:

1. pasvarstykite žmogaus teisių prigimtį –
2. daugelis šalių pasirašė tarptautinius susitarimus dėl individo traktavimo -
3. Visuotinė Žmogaus Teisių Deklaracija -
4. Tarptautinis Civilinių ir Politinių Teisių Susitarimas (Konvencija) –
5. visi žmonės yra gimę laisvi ir lygūs -
6. laisvė nuo vergovės, žiaurių bausmių, savavališko arešto, sulaikymų ir pan. -
7. konvencija skelbia lyčių lygybę ir minties laisvę –
8. piliečiai turi teisę pateikti skundą Europos Komisijai -
9. didelė Žmogaus Teisių Įstatymų dalis yra susijusi su pabėgėliais -
10. jie pabėgo dėl žmogaus teisių nepaisymo –
11. politinė spauda bei ekonominiai sunkumai -
12. dabar jie siekia politinio prieglobsčio –

Exercise 3. Match the terms with the given definitions below:

- | | |
|-----------------|-----------------|
| 1. to ban | 5. to encourage |
| 2. to restrict | 6. censorship |
| 3. treason | 7. to incite |
| 4. to overthrow | 8. an assault |

1. prohibit especially by legal means or social pressure - _____
 2. In law, it is the crime of disloyalty to one's nation - _____
 3. to encourage someone to do or feel something unpleasant or violent - _____
 4. deleting parts of publications or correspondence or theatrical performances-

 5. attack in speech or writing, physically or emotionally- _____
 6. to remove someone from power, using force; to defeat - _____
 7. place limits on - _____
 8. to make someone more likely to do something - _____ .
-

The Universal Declaration of
HUMAN RIGHTS

Adopted by the General Assembly of the United Nations in 1948, the Universal Declaration states basic rights and fundamental freedoms to which all human beings are entitled.

No one has the right to hold you in slavery.

No one has the right to torture you.

You have the right to recognition everywhere as a person before the law.

We are all equal before the law and are entitled to equal protection of the law.

You have the right to seek legal help if your rights are violated.

No one has the right to wrongly imprison you or force you to leave your country.

You have the right to a fair and public trial.

Everyone is innocent until **PROVEN** guilty.

You have the right to privacy. No one can interfere with your reputation, family, home or correspondence.

You can travel wherever you want.

You have the right to seek asylum in another country if you are being persecuted in your own country.

Everyone has the right to a nationality.

All adults have the right to marriage and to raise a family.

WE ARE ALL BORN FREE AND EQUAL

EVERYONE IS ENTITLED TO THESE RIGHTS

NO MATTER YOUR RACE, RELIGION OR NATIONALITY

EVERYONE HAS THE RIGHT TO LIFE, FREEDOM AND SAFETY



You have the right to own property.

Everyone has the right to belong to a religion.

Freedom of Expression: You have the right to free thought and to voice your opinions to others.

Everyone has the right to gather as a peaceful assembly.

You have the right to help choose and to take part in governing your country, directly or through chosen representatives.

You have the right to social security and are entitled to economic, social and cultural help from your government.

Workers' rights: Every adult has the right to a job, a fair wage and to join a trade union.

You have the right to leisure and rest from work.

Everyone has the right to an adequate standard of living for themselves and their family.

Everyone has the right to education.

Your intellectual property as an artist or scientist should be protected.

We are all entitled to social order so we can enjoy these rights.

You have the responsibility to respect the rights of others

NO ONE CAN TAKE AWAY ANY OF YOUR RIGHTS

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Declaration of Human Rights. Illustration by Rina Mae Acosta, 2013. Available at: <http://www.findingdutchland.com/declaration-of-human-rights/>.

21. EMPLOYMENT LAW

The history of employment law really begins with the industrialization of Western countries in the 19th century. Most of their life, people who worked on the land or in some craft used to work for the same employer. Employment rights depended upon paternalistic employers and informal agreements. Many employees were in a very weak position because part of their wages was paid in the form of food and accommodation.

The 20th century brought great changes in labour legislation. Laws were passed dealing with health and safety in the workplace, and limits upon working hours and ages were established. Systems of *insurance* were developed to protect workers during sickness, unemployment and retirement. Most of the richer countries now have legislation, which guarantees minimum wages for all workers; prevents employees from being dismissed without some reason or period of advance notice, or compensation; and the law also requires that employers signed a written statement of the main term of their employment contract.

In the last decades of the 20th century, many countries passed laws to ensure that men and women are given equal opportunities to do the same work under the same conditions. The 1978 Employment Protection (Consolidation) Act (in England) requires that employees were given a written summary of their conditions of work; it provides that employees must be given at least a week's notice if employment is to be ended; and it gives employees the right to compensation if they are dismissed unfairly or made redundant (dismissed because there is no longer any suitable work).

This same Act also gives women the right time off in order to have a baby and the right to return to work within a certain period after having the baby. However, people who work part-time (under 16 hours a week) have little protection. In England, men over 65 and women over 60 are not entitled to compensation for redundancy.

Other English legislation attempts to ensure equality of opportunity for employees whatever their race or sex. People complaining of discrimination have the right to take their case to an *industrial* tribunal.

In Japan, there is one legal development, which has yet to spread to western countries - law suits against the employers of workers who had died of *karoshi* - not a specific accident in the workplace or industrial related disease, but general stress brought about by *overwork*.

WORD BANK

<u>paternalistic employers</u> -	employers who protect the people who are employed by providing them with what they need, but do not give them any responsibility or freedom of choice;
<u>legislation</u> -	a law or a set of laws passed by a parliament; the process of making and passing laws;
<u>retirement</u> -	the period of a person's life after he/she has stopped work at a particular age;
<u>advance notice</u> -	a formal letter or statement saying that you must leave your job at the end of a particular period of time (a warning is given before a certain period of time);
<u>to dismiss</u> -	to officially remove sb from their job;
<u>redundant</u> -	a person without a job because there is no more work available for him in a company;
<u>entitled</u> -	sb given the right to have or to do sth.;

an industrial tribunal - a type of court that can decide on disputes between employees and employers;

a suit - a claim or complaint against sb that a person or an organization can make in a court of law;

industrial related disease - an illness caused by specific working conditions or too much work.

QUESTIONS

1. What was specific about employment rights in the 19th century?
2. What great changes in labour legislation occurred in the 20th century?
3. What does the 1978 Employment Protection Act proclaim?
3. What is *karoshi*?

TEST YOUR KNOWLEDGE

Exercise 1. Below are the main paragraph titles from a *Director's Service Agreement*. Link the paragraph titles to the details of the contents of each paragraph:

- | | | |
|------------------------|---|--|
| 1. APPOINTMENT | a | How the contract may be ended. |
| 2. REMUNERATION | b | Procedures for handling disagreements. |

3. CONFIDENTIALITY	c	Rules about publishing information.
4. TERMINATION	d	Rules for payment when the director is away as a result of illness.
5. PERIOD OF EMPLOYMENT	e	The date when the present contract comes to an end.
6. NOTICE PERIOD	f	The fixed term of the contract.
7. HOLIDAYS	g	The number of working days when the director can be away from work.
8. SICK PAY	h	The pay package.
9. GRIEVANCE PROCEDURE	i	The period of advance notice required to terminate the contract.
10. HOURS OF WORK	j	This describes the title and general employment of the director.
11. EXPIRY OF APPOINTMENT	k	When and how the director is expected to discharge his/her work duties/ duty.

Exercise 2. Complete the full-time employment using the words/ phrases from the box:

commencing salary	notice	position
date of commencement	grievance	pension
duties and responsibilities	holiday entitlement	
probationary service	sickness pay	terms and conditions

1. You have been appointed to the _____ of administrative assistant.
2. Your _____ will be as detailed in the attached Job Description, but this Job Description should not be regarded as exclusive or exhaustive. There will be other occasional duties and requirements associated with your appointment.
3. The _____ of your continuous service with this company is 1 January 2018.
4. Your specific _____ are contained in the Employees' Handbook issued by the company, as well as in existing collective agreements negotiated by this company.
5. Confirmation of your appointment will be subject to your satisfactory completion of 3 months' _____.
6. Your _____ is € 20.000 per annum, paid monthly in arrears. Overtime is not payable.
7. Your _____ entitlement is 30 days in any calendar year.
8. Your annual _____ is 25 which cannot be carried over.
9. The minimum period of _____ to which you are entitled is 3 months.
10. Your position with regard to _____ is set out in the explanatory booklet attached.

11. If you have a _____ relating to your employment, you should refer to the complaints procedure outlined in the booklet attached.

Exercise 3. Complete the gaps with an appropriate word derived from the words given: e.g. ill – illness...

Workplace 1 _____ (safe) and 2 _____ (healthy) laws establish basic standards aimed at reducing the number of 3 _____ (ill), 4 _____ (injure) and 5 _____ (die) in workplaces. Because most workplace safety 6 _____ (regulate) rely for their effectiveness on employees who are willing to report job 7 _____ (dangerous), most law also prevent employers from firing or discriminating against employees who report 8 _____ (safe) conditions to proper authorities.

Workers' compensation laws are designed to ensure that employees who are 9 _____ (injure) or 10 _____ (disable) on the job are provided with fixed 11 _____ (money) awards, eliminating the need for litigation. These laws also provide benefits for 12 _____ (depend) of those 13 _____ (work) who were killed because of work-[related accidents or illnesses. Some laws also provide 14 _____ (protect) for employers and fellow workers by limiting the amount an injured employee can 15 _____ (recovery) from an employer and by eliminating the 16 _____ (liable) of co-workers in most accidents.



22. LAW ENFORCEMENT OFFICERS

Private Detectives and Investigators

Private detectives and investigators use many methods to determine and verify the facts, such as an individual's place of employment or income; they may make phone calls, interview people or visit the subject of interest to gather as much information as possible. In all cases, private detectives and investigators assist attorneys, businesses, and the public with legal, financial, and personal problems.

Detectives and investigators offer a wide range of services, including executive, corporate, and celebrity protection; pre-employment verification; individual background profiles, etc. They investigate computer crimes, such as identity theft, harassing e-mails, and illegal downloading of copyright material. They also provide assistance in civil liability and personal injury cases, insurance claims and fraud, child custody and protection cases, missing people's cases, and premarital screening. They are sometimes hired to investigate individuals to prove or disprove infidelity.

Most detectives and investigators are trained to perform physical surveillance. They may observe a site, such as the home of a subject, from an inconspicuous location or a vehicle using still and video cameras, binoculars, and a cell phone, until the desired evidence is obtained.

Detectives may also perform computer database searches to quickly obtain massive amounts of information on individuals' prior arrests, convictions, and civil legal judgments; telephone numbers; motor vehicle registrations; association and club memberships, and other matters.

Legal investigators specialise in cases involving the courts and are normally employed by law firms or lawyers. They frequently assist in preparing criminal defences, locating witnesses, serving legal documents, interviewing police and prospective witnesses, and gathering evidence. Legal investigators may testify in court and assemble evidence and reports for trials.

Former law enforcement officers, military investigators, and government agents, who may retire after 25 years of service, often become private detectives or investigators in a second career. These individuals can apply their prior work experience in a related investigative occupation. Sometimes after graduation from college, generally with associate or bachelor's degrees in criminal justice or police science, new professionals start investigator's or detective's career.

WORD BANK

<u>a lawyer/attorney-</u>	a person who is trained and qualified to advise people about the law and to represent them in a court of law, and to write legal documents;
<u>an investigator -</u> a	a person who examines a situation such as an accident or crime to find out the truth;
<u>verification -</u>	a proof that sth exists or is true, making certain sth is correct;
<u>harassing -</u>	annoying or worrying because of pressure or unpleasant things;
<u>fraud -</u>	the crime of deceiving sb in order to get money or goods illegally;

<u>infidelity</u> -	the act of not being faithful to your wife, husband or partner, by having sex with sb else;
<u>surveillance</u> -	the act of carefully watching a person suspected of a crime or a place where a crime may be committed (cameras, equipment);
<u>inconspicuous</u> -	not attracting attention, not easy to notice;
<u>conviction</u> -	the act of finding sb guilty of a crime in a court of law; the fact of having been found guilty;
<u>testify</u> -	to make a statement that sth happened or that sth is true, especially as a witness in a court of law.

QUESTIONS

1. What methods do detectives and investigators apply to determine the facts?
2. What kind of services do private investigators offer?
3. How do detectives and investigators perform physical surveillance?
4. Why do they need to perform computer database searches?
5. How do legal investigators help lawyers in their work??
6. Where can retired professionals be of service?

TEST YOUR KNOWLEDGE

Exercise1. Complete the text.

property	authorized	right	collect debts	warrant	force
	courtroom order		finer owe	judgment	
apply	peaceably	on behalf of	peaceful	break	

(A bailiff is a law officer whose job is to take the possessions and property of people who cannot pay their debts.)

A bailiff is an officer who maintains 1. _____ and jury custody or sometimes also known as a deputy.

A bailiff is someone 2. _____ to collect a debt on behalf of a creditor. A creditor is someone you 3. _____ money to. There are different types of bailiffs - e.g. county court bailiffs, certificated bailiffs and private bailiffs who can be used to collect different types of 4. _____. These include county court judgments, unpaid council tax, and magistrate's court 5. _____, etc.

Different bailiffs have differing powers to 6. _____ debts. However, there are certain rules that 7. _____ to all bailiffs. A bailiff must be legally authorised to collect the debt 8. _____ the creditor. The authority is normally known as a 'warrant', or 'warrant of execution' if the bailiff is recovering money owed under a county court 9. _____.

Most bailiffs do not have the 10. _____ to force their way into your home to seize your goods. The only exception is that bailiffs from the Collector of Taxes can get a 11. _____ to force entry, but this is very rare.

All other bailiffs have a right of 12. _____ entry only. This means that they cannot use 13. _____ to enter your home, for example, by breaking a window or a door. However, they can enter your 14. _____ through an open door or window (front and back) and can climb over fences and gates, but cannot 15. _____ them down.

Bailiffs are well aware of their limited powers and may use a variety of different means to gain entry 16. _____.

Exercise 2. Make a dialogue between a police-officer and a driver using the following phrases:

Parking violation

To be on the beat

A pedestrian crossing

Let smb. off with a warning

An insurance policy

A driving license

Do not mean any harm

To overtake the car

You are blocking the street

Suddenly to stop dead

An offence

Road regulations

To park a vehicle

You may be fined

A breakdown

No petrol in the tank

No spark / Check the sparking plugs

It changed from amber to red

No high tension current

Replace a fuse

Traffic check

A lay-by

Light reflecting coat

Registration book

Headlights

Put on main beam

Apply your breaks

Brakes

Lights are not coming on

Turn on

Ignition

Blow into this bag

The breathalyser test

Tube

Your breath smells of alcohol

Your documents back

The result is negative

Are you going to fine me?

Put it into neutral gear

The handbrake off/on

Have your tyres blown up

Reverse out

Exercise 3. Match the titles with the job descriptions:

- | | |
|--|---|
| 1. Policeperson - | 1. My job is discovering information about people |
| 2. Traffic warden/
Parking controller - | 2. Our job is to protect a person or place from danger or attack, or to prevent a person such as a criminal from escaping. |
| 3. Lawyer - | 3. My duties are to maintain security, tranquillity, to cause laws and regulations to be adhered to, to take steps to prevent crimes, and also to investigate and prosecute crimes. |
| 4. Private detective/Investigator - | 4. I have to ask someone a lot of questions for a long time in order to obtain information, sometimes using threats or violence. |
| 5. Interrogator – | 5. My job is related to legal issues under the direct supervision of an attorney: I draft contracts for review by attorneys, provide initial review and revision of contracts and process executed contracts, etc. |

6. Court clerk -

6. My job is to check that people do not park their cars in the wrong place or for longer than is allowed.

7. Prison guard -

7. My job involves preventing people going into places without permission, delivering and collecting large amounts of money, or protecting goods from being stolen.

8. Legal Assistant –

8. my job is to provide rapid response to law enforcement agencies or any other emergency needs and give directions, information i.e. to maintain records of incoming calls, (police, fire, ambulance), operate various computer terminals, etc.

9. Security guard –

9. I perform responsible and complex legal research for the attorney's in legal office: maintain and research confidential matters and materials, perform legal research and analysis under the direction of attorneys, etc.

10. Police communications

operator –

10. We have to patrol buildings and grounds, direct flows of traffic and issues citations on traffic and parking violations, patrol assigned areas for safety, examines doors, windows, and gates to determine that they are secure, checks for fire, water leaks and other safety hazards, etc.

11. Police guard –

11. People of my profession conduct lawsuits or gives legal advice.

12. Law clerk –

12. I handle the filings for court procedures and answer questions concerning them.



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