

АНГЛИЙСКИЙ ЯЗЫК
ДЛЯ СТУДЕНТОВ
3 КУРСА
ДНЕВНОГО ФАКУЛЬТЕТА

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Попов Е.Б. Английский язык для студентов 3-го курса:
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Учебное пособие предназначается для студентов третьего курса дневного и вечернего факультетов ОИ МГЮА. Цель пособия – последовательное освоение правовой лексики и лексики делового английского на основе образовательных текстов, адаптированных для студентов-юристов. Данное пособие состоит из языкового материала, изучаемого студентами в шестом семестре.

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CONTENTS

Предисловие	1
UNIT 5. Legal Profession	2
UNIT 6. Law Firm	18
UNIT 7. Professional Ethics	25
UNIT 8. Studying Law	34
UNIT 9. Job Seeking	47

Предисловие

Настоящее пособие предназначается для студентов третьего курса (шестой семестр) дневного и вечернего факультетов ОИ МГЮА. Цель данного пособия – последовательное изучение грамматики и правовой лексики на основе образовательных текстов, объединенных в пять тематических блоков: "профессия юриста", "юридическая фирма", "профессиональная этика", "юридическое образование", "поиск и устройство на работу".

Виды заданий, предлагаемых в учебном пособии:

BEFORE READING - задание выполняется до прочтения тематического текста

SCANNING - подробное изучение текста

LEXIS - лексический минимум, который необходимо усвоить при изучении текста

QUESTIONS - вопросы к прочитанному тексту

EXPLAIN THE SENTENCES FROM THE TEXT - толкование студентами отдельных предложений из тематического текста

MATCH - задание предполагает парный подбор лексических единиц, имеющих сходное значение

PREPARE YOUR OWN QUESTIONS - дополнительные вопросы студентов к прочитанному тексту

AGREE OR DISAGREE - задание предполагает оценку соответствия предложений содержанию изученного материала; если предложение не соответствует действительности, то необходимо внести соответствующие изменения и дать исправленный вариант предложения

EXERCISE - задание предполагает применение студентами знаний, полученных из тематического текста

KEY WORDS - ключевые слова по изученной теме; необходимо дать толкование каждого из них, используя материал прочитанных текстов

Unit 5. Legal Profession



5.1. BEFORE READING learn the following words and phrases which are essential on the topic:

adviser - советник, консультант; референт (лицо, дающее советы и рекомендации по определенным вопросам, предлагающее варианты выбора в конкретной ситуации, предоставляющее запрашиваемую информацию)

attorney - адвокат; юрист; атторней, уполномоченный, доверенный; поверенный (в суде); прокурор (в системе судебной власти США)

bar association = the Bar - ассоциация адвокатов (имеющих право выступать в суде); в США - организация практикующих профессиональных юристов; такие организации существуют как на уровне штатов, где они принимают экзамены (bar examination) на право заниматься адвокатской практикой или отстраняют от нее (to disbar), так и на общенациональном уровне

barrister - барристер; адвокат, имеющий право выступать в высших судах (отличается тем, что не ведет дело с самого начала, а получает все материалы незадолго до суда); адвокат высшего ранга

brief - 1) краткое письменное изложение дела с привлечением фактов и документов, ссылок на законодательные акты и юридические прецеденты, с которыми сторона намерена выступать в суде; 2) записка по делу, представляемая солиситором барристеру 3) резюмировать, составлять краткое изложение 4) поручать (адвокату) ведение дела в суде; давать инструкции адвокату

College of Advocates = Bar = Chamber of Advocates = Faculty of Advocates - коллегия адвокатов

conveyancer - нотариус по операциям с недвижимостью; юрист, ведущий дела по передаче имущества; адвокат, готовящий документы о передаче прав собственности

counsel - юрисконсульт; советник, поверенный; участвующий в деле адвокат; барристер

drafter - 1) составитель документа, 2) автор документа, законопроекта, законодательного акта

in-house counsel - штатный юрист, работник юридического отдела компании

Inns of Court - "Судебные инны" (четыре корпорации барристеров в Лондоне; существуют с 14 века; в школах при этих корпорациях готовят барристеров)

jurisdiction - юрисдикция; сфера полномочий; орган власти; территория в подведомственности органа власти; подведомственная область; подсудность; судебная практика

jurist - 1) юрист, учёный юрист; писатель по вопросам права; цивилист; законовед, правовед, 2) адвокат, судья, 3) студент юридического факультета 4) преподаватель права, юриспруденции

Law Society - Общество юристов (профессиональный союз солиситоров; имеет собственный клуб с библиотекой и справочным отделом в Лондоне; может привлекать своих членов к ответственности за нарушение профессиональной этики, исключать из числа солиситоров)

lawyer - юрист; адвокат; консультант по вопросам права, юрис-консульт, юрист-практик

legal executive - судебный исполнитель, должностное лицо суда

negotiator - 1) лицо, ведущее переговоры; сторона в переговорах; сторона в договоре; 2) посредник, уполномоченный

notary - 1) нотариус 2) нотариальные конторы

practice law - заниматься юридической практикой, быть юристом

solicitor - солиситор, адвокат (дающий советы клиенту, подготавливающий дела для барристера и выступающий только в судах низшей инстанции); поверенный; стряпчий

trial lawyer - адвокат, выступающий в суде первой инстанции; защитник в суде



1.2. SCANNING

Legal Profession

1. Lawyer is a general term for a person who is qualified to advise people about the law, to prepare legal documents for them and/or to represent them in a court of law. Working as a lawyer involves the practical application of abstract legal theories and knowledge to solve specific individualized problems, or to advance the interests of those who hire lawyers to perform legal services.

2. A lawyer often has several functions: investigator, drafter, negotiator, advisor, and advocate. As a professional the lawyer is usually permitted to carry out the following responsibilities:

3. **Oral argument in the courts.** Arguing a client's case before a judge or jury in a court of law is the traditional province of trial lawyers who specialize in trying cases in court.

In some countries litigants have the option of arguing pro se, or on their own behalf. It is common for litigants to appear unrepresented before certain courts like small claims courts; indeed,

many such courts do not allow lawyers to speak for their clients, in an effort to save money for all participants in a small case.

4. **Research and drafting of court papers.** Often, lawyers brief a court in writing on the issues in a case before the issues can be orally argued. They may have to perform extensive research into relevant facts and law while drafting legal papers and preparing for oral argument.

5. **Legal advice** is the application of abstract principles of law to the concrete facts of the client's case in order to advise the client about what they should do next. In many countries, only a properly licensed lawyer may provide legal advice to clients for good consideration. Therefore, even conveyancers and corporate in-house counsels must first get a license to practice, though they may actually spend very little of their careers in court. Failure to obey such a rule is the crime of unauthorized practice of law.

6. **Negotiating and drafting contracts.** In some countries, the negotiating and drafting of contracts is considered to be similar to the provision of legal advice, so that it is subject to the licensing requirement explained above. In other countries, notaries may negotiate or draft contracts.

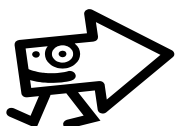
7. **Conveyancing** is the drafting of the documents necessary for the transfer of real property, such as deeds and mortgages. In some countries, all real estate transactions must be carried out by a lawyer.

8. **Carrying out the intent of the deceased.** In many countries, only lawyers have the legal authority to do drafting of wills, trusts, and any other documents that ensure the efficient disposition of a person's property after death. In the United States, the estates of the deceased must be administered by a court through probate. American lawyers have a profitable monopoly on dispensing advice about probate law.

9. **Prosecution and defense of criminal suspects.** In many civil law countries, prosecutors are trained and employed as part of the judiciary; they are law-trained jurists, but may not necessarily be lawyers in the sense that the word is used in the common law world. In common law countries, prosecutors are usually lawyers holding regular licenses who simply happen to work for the government office that files criminal charges against suspects. Criminal defense lawyers specialize in the defense of those charged with any crimes.

10. **Judicial functions.** Members of judiciary as a rule are chosen among experienced lawyers. In the decision-making process, judges are expected to be independent and to act without any restriction, interference, improper influence, inducement, pressure or

threats. Those who are entrusted to administer justice have unfettered freedom to decide cases impartially, in accordance with their conscience and their interpretation of the facts, and in pursuance of the prevailing rules of the law. Judges are not obliged to report on the merits of their cases to anyone outside the judiciary.



5.3. LEXIS

advance - успешно представлять, защищать

litigant - судящаяся сторона, сторона в гражданском процессе (относится как к истцам, так и ответчикам)

pro se - за себя

extensive research - обширные исследования, большая исследовательская работа

draft - составлять проект документа

oral argument - выступление в прениях сторон в суде

good consideration – соответствующее денежное вознаграждение

contemplate - предполагать, рассматривать, предусматривать

provision - обеспечение, предоставление

subject to – подвергаемый; подлежащий

conveyancing - составление актов передачи прав собственности на недвижимость

carry out the intent of the deceased - исполнять волю покойного, исполнить завещание

will - завещание

trust - доверенность; документ о передаче в доверительное управление

disposition - распоряжение, управление (имуществом)

probate - доказывание завещания; доказательство подлинности завещания; утверждение завещания

dispense - готовить и предоставлять

civil law country – страна с континентальной (цивильной) системой права

common law country - страна с системой, основанной на общем (англо-саксонском) праве; страна-незаконодатель

decision-making process - процедура принятия решения

interference – вмешательство, помеха

inducement – побуждение, поощрение

unfettered freedom - не ограниченная свобода

impartially – беспристрастно, справедливо

conscience – совесть, сознательность

in pursuance - во исполнение, согласно

on the merits - по существу



5.4. QUESTIONS

1. What functional roles are traditionally associated with lawyers?
2. Why are lawyers not allowed to speak for their clients in some small claims courts?
3. What does it mean "to brief a court in writing on the issues in a case"?
4. What is the difference between civil and common law countries in respect of criminal prosecutors?
5. What is a traditional province of trial lawyers?
6. How are the estates of the deceased administered in the United States?



5.5. AGREE OR DISAGREE

1. It is the crime of unauthorized practice of law for conveyancers and corporate in-house counsels to practice even though they have got a license for it.
2. In all countries negotiating and drafting of contracts is subject to the licensing requirement.
3. Conveyancing is a synonym to probating.
4. One of the maxims of legal procedure is that litigants may never argue *pro se*.



5.6. MATCH the verbs used in the previous text with their definitions:

to advance, to advise, to carry something out, to charge with, to draft, to involve, to negotiate, to obey, to practice law, to solve, to specialize

- 1) to accuse somebody formally of a crime so that there can be a trial in court; to accuse somebody publicly of doing something wrong or bad;
- 2) to become an expert in a particular area of study or business; to spend more time on one area of work than on others;
- 3) to do something that you have said you will do or have been asked to do; to do and complete a task;
- 4) to do what you are told or expected to do;
- 5) to find a way of dealing with a problem or difficult situation; to find the correct answer or explanation for something;
- 6) to help something to succeed; to suggest an idea, a theory, or a plan for other people to discuss;
- 7) to make somebody take part in something; to be an important or necessary part or result of something;
- 8) to tell somebody what you think they should do in a particular situation; to give somebody help and information on a subject that you know a lot about;

- 9) to try to reach an agreement by formal discussion; to arrange or agree something by formal discussion;
- 10) to work as a lawyer;
- 11) to write the first (preliminary) version of something such as a letter, speech or document.



5.7. MATCH the following nouns with their definitions:

advisor, advocate, client, conveyancer, drafter, investigator, judge, lawsuit, license, litigant, mortgage, negotiator, suspect, transaction, will

- 1) claim or complaint against somebody that a person or an organization can make in court;
- 2) lawyer who is an expert in the branch of law concerned with moving property from one owner to another;
- 3) legal agreement by which a bank or similar organization lends you money to buy a house, etc., and you pay the money back over a particular number of years; the sum of money that you borrow;
- 4) legal document that says what is to happen to somebody's money and property after they die;
- 5) official permission to do, own, or use something;
- 6) person in a court who has the authority to decide how criminals should be punished or to make legal decisions;
- 7) person who examines a situation such as an accident or a crime to find out the truth;
- 8) person who gives advice, especially somebody who knows a lot about a particular subject;
- 9) person who is involved in formal political, legal or financial discussions, especially because it is their job;
- 10) person who is making or defending a claim in court;
- 11) person who is supposed to have committed a crime or done something wrong;
- 12) person who supports or speaks in favour of somebody or of a public plan or action; a person who defends somebody in court;
- 13) person who uses the services or advice of a professional person or organization;
- 14) person who writes official or legal documents;
- 15) piece of business that is done between people, especially an act of buying or selling; the process of doing something.



5.8. SCANNING

Professional Associations and Regulation

1. In some countries, either the judiciary or the Ministry of Justice directly supervises the admission, licensing, and regulation of lawyers. Other countries, by statute, tradition, or court order, have granted such powers to a professional association which all lawyers must belong to.

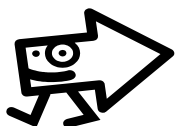
2. In the U.S., such associations are known as bar associations regulated at state level (and not at federal level). Membership in the State Bar is compulsory in order for a lawyer to be able to practise and appear in the courts of the state in which he/she has been admitted. On a national level, the profession is represented by the American Bar Association (ABA). The ABA's most important activities are the setting of academic standards for law schools, and the formulation of model ethical codes related to the legal profession. The ABA has about 410,000 members. Its national headquarters are in Chicago, Illinois.

3. In the British Commonwealth of Nations similar organizations are known as Inns of Court, Bar Councils or Law Societies. For instance, the Inns of Court in London are the professional associations to one of which every barrister in England and Wales (and those judges who were formerly barristers) must belong. They have supervisory and disciplinary functions over their members. The Inns also provide libraries, dining facilities and professional accommodation.

4. In civil law countries, comparable organizations are known as Orders of Advocates, Chambers of Advocates, Colleges of Advocates, Faculties of Advocates, or similar names. Generally, a nonmember caught practicing law may be liable for the crime of unauthorized practice of law.

5. Thus some countries admit and regulate lawyers at the national level, so that a lawyer, once licensed, can argue cases in any court in the land. Others, especially those with federal governments, tend to regulate lawyers at the state or provincial level.

5.9. LEXIS



admission - приём в члены, доступ, допуск

court order - предписание суда, судебное поручение

grant – предоставлять, разрешить

State Bar - адвокатура штата, адвокатская ассоциация штата

setting of academic standards – установление и регулирование учебных стандартов

model – примерный, типовой

formerly – прежде, ранее

accommodation – размещение, помещение
comparable – аналогичный, сопоставимый
nonmember – не являющийся членом организации, не входящий
в организацию; лицо, не являющееся членом какого-либо
объединения



5.10. QUESTIONS

1. What bodies may be empowered to supervise the admission, licensing, and regulation of lawyers?
2. What is the difference between these supervisory bodies in federal and unitary countries?
3. What are the consequences of practicing law in common law countries without being a member of a professional association of lawyers?



5.11. SCANNING

The Legal Profession in England

1. England is almost unique in having two different kinds of lawyers, with separate jobs in the legal system. The two kinds of lawyers are **solicitors** and **barristers**.

2. In the English legal system solicitors have traditionally dealt with any legal matter apart from conducting proceedings in courts, except minor criminal cases tried in Magistrates' Courts and small value civil cases tried in county courts, which are almost always handled by solicitors.

3. There are over 90 000 solicitors nowadays. Most of them are employed in private practice, either alone or in a partnership firm. Others are employed in the public service, industry, and commerce.

4. Practicing solicitors are consulted by, and receive instructions from clients on a wide variety of matters both civil and criminal, such as making of wills; buying, selling and mortgaging land; family matters; the formation of companies; drawing up of documents; conveyancing; and the criminal offences of all kinds. In cases of unusual difficulty or where a trial is to take place in the superior courts, the solicitor takes his instructions from the client, prepares a brief and approaches a barrister to give an «opinion» or represent the client at the trial.

5. The relationship between a solicitor and his client is based on professional confidence, and a solicitor cannot be compelled to disclose in court communications made in a professional relationship. Nor is a solicitor liable for defamation in respect of statements made in court during the course of a trial. A solicitor is, however, liable to

be sued for damages for negligence in the conduct of his profession: e.g. where he has carelessly lost documents entrusted to him.

6. Solicitors in England and Wales are regulated by the Solicitors Regulation Authority, an independently administered branch of the Law Society of England and Wales. Moreover, solicitors must pay the Law Society a practicing fee each year in order to keep practicing. If they do not do this they are 'non-practicing' and may not give legal advice to the public (although they can start practicing again at will, unlike those who have been struck off the roll).

7. The profession of barrister in England and Wales is a separate profession from that of solicitor. It is however possible to hold the qualification of both barrister and solicitor at the same time; it is not necessary to be disbarred in order to qualify as a solicitor.

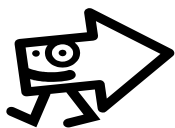
8. The practical difference between the two professions is two-fold:

- o Barristers have a more specialised knowledge of case-law and precedent. It is relatively common for a barrister to only receive a "brief" from an instructing solicitor to represent a client at trial a day or two before the hearing.

- o A barrister has rights of audience in the higher courts. In this regard, the profession of barrister corresponds to that part of the role of legal professionals found in the civil law countries relating to appearing in trials or pleading cases before the courts.

9. A barrister must be a member of one of the Inns of Court, which traditionally educated and regulated barristers. There are four Inns of Court: The Honourable Society of Gray's Inn, The Honourable Society of Lincoln's Inn, The Honourable Society of the Middle Temple, and The Honourable Society of the Inner Temple. All are situated in central London, near the Royal Courts of Justice.

10. In December 2004 there were just over 11,500 barristers in independent practice, of whom about ten percent are Queen's Counsel and the remainder are junior barristers. Many barristers (about 2,800) are employed in companies as 'in-house' counsel, or by local or national government or in academic institutions.



5.12. LEXIS

apart from - кроме, не считая

conduct proceedings – участвовать в судебных разбирательствах

handle – решать, регулировать, разбирать, заниматься

partnership firm - товарищество, партнёрство

drawing up - составление

confidence – доверие; уверенность, конфиденциальность

communication - информация

practicing fee - членский взнос занимающихся практикой
 strike off the roll - лишать адвоката права практики
 disbar - лишать звания адвоката, лишать права адвокатской
 практики
 right of audience - право выступать в суде
 correspond - соответствовать; согласовываться, соотноситься
 plead a case - представлять (чьи-либо) интересы по делу
 Gray's Inn - Греевская школа (последний из четырёх по времени
 создания "Судебный инн"; по имени первого владельца зда-
 ния школы)
 Lincoln's Inn - "Инн Линкольна" (готовит барристеров Канцлер-
 ского отделения Высокого суда правосудия; по имени перво-
 го владельца здания инна Томаса де Линкольна)
 Middle Temple - "Средний темпл" (один из четырёх "Судебных
 иннов", действующих в Лондоне)
 Inner Temple - "Иннер темпл", "Внутренний темпл" (самый ста-
 рый и известный из четырёх "Судебных иннов")
 Queen's (King's) Counsel - королевский адвокат (высшее адвокат-
 ское звание; присваивается королевской грамотой)
 remainder - остальное, остальные



5.13. QUESTIONS

1. What legal matters do solicitors deal with?
2. What is the basis of relationship between a solicitor and his client?
3. Under what circumstances may a client sue his solicitor?
4. What legal profession does the Law Society of England and Wales regulate?
5. What happens if a solicitor doesn't pay the Law Society a practicing fee?
6. Is it possible for a person to be a solicitor and a barrister at the same time?
7. How do barristers differ from solicitors in practicing law?
8. What institution must a barrister belong to?
9. How many Inns of Courts are there in England and Wales?
10. Where are all these Inns of Court situated?
11. Do all barristers hold a rank of Queen's Counsel?



5.14. AGREE OR DISAGREE

1. No solicitor is allowed to argue a client's case before a judge or jury in a court of law.
2. In difficult or complicated cases a barrister prepares a brief and approaches a solicitor to represent the client at the tri-

- al.
3. Solicitors are liable for defamation in respect of statements made in court and for negligence in the conduct of their profession.
 4. As a rule a barrister should receive a "brief" from an instructing solicitor a month or two before the hearing.
 5. All Inns of Court are dispersed all over the country for administrative purposes.
 6. Solicitors and barristers can't be employed in companies as 'in-house' counsels.



5.15. SCANNING

The US Attorney

1. In order to practice law in the USA, one must first be "admitted to the bar" in an individual state. This entails passing the state bar exam. The bar exam covers the law particular to that state and is approximately 6 hours in length. Thus attorneys in America are licensed to practice only in their home states. If they wish to practice in another state, they must fulfill that state's requirements - such as taking test on the specific features of that state's law (a part of the bar examination) before they can practice. Fortunately, there are some states that have reciprocity agreements when two or more states honor each other's rights or privileges, such as practicing law.

2. Generally, state bar examiners require evidence of three qualities in exam candidates: sufficient general education at the undergraduate level; sufficient US legal education; and sufficient knowledge of local bar requirements. Each state bar administration sets its own criteria for permission to sit the state bar exam.

3. In addition to the state bar exam, almost all states also require the Multistate Bar Exam (MBE). The MBE covers general legal knowledge in areas such as contracts, torts, constitutional law, criminal law, evidence and real property. It is a 6-hour, multiple-choice exam made up of 200 questions.

4. A typical second day of testing includes series of timed essay exams on a variety of subjects. This portion may be comprised of two other multistate exams: the Multistate Essay Exam (MEE) and the Multistate Performance Test (MPT).

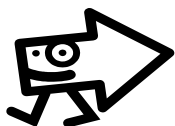
5. Part of the licensing process involves the assessment by bar examiners of an applicant's character and fitness to engage in the practice of law. Currently, most states also require law students to pass the Multistate Professional Responsibility Examination (MPRE). The MPRE tests knowledge of the American Bar Association codes

on professional responsibility and judicial conduct. The MPRE is a 2-hour, multiple-choice exam.

6. Upon admission to practice, an attorney is licensed to serve as both advocate and legal counselor. There is no division of the profession between barristers and solicitors, as in England.

7. At the same time on the federal level there exists the American Bar Association (ABA), which was founded in August 21, 1878 as a voluntary national organization of the legal profession. The activities of the association include maintenance of high ethical standards for the profession. The most current version of these standards, the Model Rules of Professional Conduct, was adopted in 2000.

8. The American Bar Association also accredits law schools under the authority of state high courts and the United States Department of Education, and according to standards developed by the association. Policies of the association are determined by a house of delegates representing the legal profession and administered by a board of governors. The ABA holds an annual meeting, which is the largest annual gathering of lawyers in the world, and is attended by approximately 12,500 international lawyers.



5.16. LEXIS

cover - включать, содержать, охватывать

in length - продолжительностью

reciprocity agreement - соглашение, основанное на

взаимности

honor - уважать, соблюдать

examiner - экзаменатор, эксперт

undergraduate level - уровень начальной стадии высшего образования

sit an exam - сдавать экзамен

multistate – общий для определенного количества штатов

multiple-choice exam – экзамен, представляющий возможность выбора из предоставленных ответов

essay exam - сочинение-рассуждение

performance test - функциональный тест

professional responsibility - профессиональная ответственность

code - кодекс; система правил (поведения, чести, морали и т. д.)

judicial conduct - беспристрастное поведение, поведение юриста

current - современный, популярный, широко распространенный

accredit - признать высшее учебное заведение правомочным выдавать дипломы и присваивать учёные степени

house of delegates - палата депутатов

board of governors - совет управляющих



5.17. QUESTIONS

1. What must a person do if he wishes to practice law in the USA?
2. How may reciprocity agreements between states be connected with legal profession?
3. What qualities of candidates are evaluated by state bar examiners?
4. How many days does testing usually last? How many exams do applicants have to pass?
5. What areas of law does the MBE cover?
6. What should you learn in order to pass the MPRE?
7. What activities does the ABA carry out?
8. How are the policies of the ABA determined and administered?



5.18. AGREE OR DISAGREE

1. In order to practice law in the United States, one must be admitted to the ABA.
2. The criteria for permission to sit the state bar exam are the same all over the USA.
3. The state bar exam in most states is also known as the Multistate Bar Exam.
4. America has the same division of the profession between barristers and solicitors, as in England.
5. All members of the state bars are automatically admitted to the American Bar Association.



5.19. MATCH the verbs used in previous texts with their definitions:

to administer, to admit, to argue, to compel, to disclose, to educate, to practice, to qualify, to regulate, to represent, to require, to sue

- 1) to allow somebody to become a member of a club, a school, or an organization;
- 2) to be a member of a group of people and act or speak on their behalf at an event, a meeting, etc.; to make a formal statement to somebody in authority to make your opinions known or to protest;
- 3) to control something by means of rules;
- 4) to force somebody to do something; to cause a particular reaction; to make something necessary;

- 5) to give reasons why you think that something is right / wrong, true / not true, etc., especially to persuade people that you are right;
- 6) to give somebody information about something, especially something that was previously secret;
- 7) to make a claim against somebody in court about something that they have said or done to harm you; to formally ask for something, especially in court;
- 8) to manage and organize the affairs of a company, an organization, a country, etc.; to make sure that something is done fairly and in the correct way;
- 9) to demand that sb should do, have or be sth, especially because it is their duty or responsibility; to make somebody do or have something, especially because it is necessary according to a particular law or set of rules;
- 10) to reach the standard of ability or knowledge needed to do a particular job, for example by completing a course of study or passing exams;
- 11) to teach somebody over a period of time at a school, university, etc.;
- 12) to work as a doctor, lawyer, etc.; to do an activity or train regularly so that you can improve your skill.



5.20. MATCH the following nouns with their definitions:

association, attorney, barrister, candidate, damage, essay, examiner, maintenance, multiple-choice, professional, qualification, quality, solicitor, standard, trial

- 1) act of keeping something in good condition by checking or repairing it regularly; the act of making a state or situation continue;
- 2) American lawyer, especially one who can act for somebody in court; a person who is given the power to act on behalf of another in business or legal matters;
- 3) exam that you have passed or a course of study that you have successfully completed; the fact of passing an exam, completing a course of training or reaching the standard necessary to do a job or take part in a competition;
- 4) formal examination of evidence in court by a judge and often a jury, to decide if somebody accused of a crime is guilty or not;
- 5) lawyer who has the right to represent people in the higher courts;
- 6) lawyer who prepares legal documents, for example for the sale of land or buildings, advises people on legal matters, and can speak for them in some courts of law;

- 7) level of quality, especially one that people think is acceptable; a level of behaviour that somebody considers to be morally acceptable;
- 8) official group of people who have joined together for a particular purpose;
- 9) person who does a job that needs special training and a high level of education; a person who has a lot of skill and experience;
- 10) person who has the official duty to check that things are being done correctly and according to the rules of an organization; a person who officially examines something;
- 11) person who is applying for a job; a person taking an exam;
- 12) physical harm caused to something which makes it less attractive, useful or valuable; an amount of money that a court decides should be paid to somebody by the person, company, etc. that has caused them harm or injury;
- 13) several possible answers from which you must choose the correct one;
- 14) short piece of writing by a student as part of a course of study;
- 15) standard of something when it is compared to other things like it; how good or bad something is; a thing that is part of a person's character, especially something good; a feature of something, especially one that makes it different from something else.



5.21. EXERCISE. Look at this list of legal occupations. All of these people work in law. We call all of the people who work in these jobs, 'the legal profession'. Match the jobs with one of the descriptions.

attorney barrister lawyer solicitor

1. This person is a lawyer who gives legal advice and opinions to solicitors. He or she passed the exams of the Bar Council of England & Wales at the end of his or her studies.
2. This person is a lawyer who gives legal advice to individuals and companies. He or she passed his or her exams in the USA at the end of his or her studies and is usually a member of the American Bar Association.
3. This person is a lawyer who gives legal advice to individuals and companies. He or she passed the exams of the Law Society of England & Wales at the end of his or her studies.
4. This is the general job title that we use for people who work as a solicitor, barrister or attorney.



5.22. EXERCISE. Read the text about legal profession. Decide if the statements below are true or false.

1. There are two types of lawyer practising in America.
2. Last year I finished my training contract and I started working for a large international law firm. I am now a qualified solicitor.
3. Only barristers can speak on behalf of clients in English courts.
4. Many solicitors work together in partnerships but barristers don't.
5. In the USA and England lawyers can take a special exam to be a judge.

There are two types of lawyer who practise in England: barristers and solicitors.

In the USA and most other countries, lawyers don't make this division - a lawyer is simply known as an attorney at law, or an attorney.

In both England and the USA, it is not possible to take a special exam to be a judge. If you decide that you want to be a judge, you must get a lot of experience as a lawyer first, then apply to be a judge and wait to see if you are chosen.

Most law students in England become solicitors. When they finish their university studies they do a one year legal practice course and then a two-year training contract with a law firm. After that, they are qualified solicitors. Many solicitors work for a legal practice, which is usually a partnership of solicitors who work together. Solicitors practise in many areas of law, although each solicitor usually chooses to specialise in one particular area. They represent their clients both in and out of court. We often describe this as acting for a client. The process of making a claim in the civil court is called litigation.

Barristers are self-employed lawyers and don't work in partnerships in the way that solicitors do. They are specialists in advocacy, which is the skill of speaking for someone in court. We call this pleading a case. They also give opinions on areas of law to solicitors and the solicitors' clients. It is not just barristers who have the right of audience in court - solicitors are also allowed to represent their clients in court and many solicitors appear in court every day. It is not true to say that a client always needs a barrister in court.



5.23. PREPARE a list of five-seven questions to ask about the texts of the whole Unit. Be ready to interview the students in your group.

5.24. KEY WORDS

admit to the bar

multiple-choice exam

American Bar Association
attorney
barrister
code of professional ethics
disbar
in-house counsel
Inn of Court
jurist
Law Society
lawyer

Multistate Bar Exam
practice law
professional association of lawyers
qualify
Queen's Counsel
right of audience
self-employed lawyer
solicitor
specialize
state bar exam

Unit 6. Law Firm



6.1. BEFORE READING learn the following words and phrases which are essential on the topic:

contingency fee - оплата по результату; непредвиденный гонорар, в зависимости от исхода дела

equity partner – компаньон с долевым участием; партнер-держатель акций товарищества; пайщик

hourly fee - почасовая плата, гонорар на временной основе

legal aid lawyer - юрист, предоставляющий бесплатную юридическую помощь неимущим; юрист, обеспечивающий бесплатную защиту в суде

lump sum payment - аккордная оплата, единовременный платеж, разовый платеж за все предоставленные услуги

nonequity partner - член товарищества, не владеющий акциями

ownership interest = ownership stake - доля участия в капитале компании, процент владения, собственный интерес

professional association - профессиональное объединение [ассоциация] (объединение лиц, занятых сходной профессиональной деятельностью)

salaried employee - служащий (работник, сотрудник) на окладе (жаловании); окладник (категория работников, оплата труда которых не зависит от количества отработанных часов или результатов труда, а равна фиксированному окладу или жалованию, исключая дополнительные выплаты, и не может включать сверхурочные)



6.2. SCANNING

Law Firm

1. A law firm is a business entity formed by one or more lawyers to engage in the practice of law. The primary service provided by a law firm is to advise clients (individuals or corporations) about their legal rights and responsibilities, and to represent their clients in civil or criminal cases, business transactions and other matters in which legal assistance is sought.

2. Smaller firms tend to focus on particular specialties of the law (e.g. patent law, labor law, tax law, criminal defense, personal injury); larger firms may be composed of several specialized practice groups, allowing the firm to diversify their client base and market, and to offer a variety of services to their clients.

3. Law firms are organized in a variety of ways, but common arrangements include:

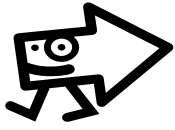
- sole proprietorship, in which the lawyer is the law firm and is responsible for all profit, loss and liability;
- general partnership, in which all of the lawyers in the firm equally share ownership and liability;
- limited liability partnership, in which the lawyer-owners are partners with one another, but no partner is liable to any creditor of the law firm nor is any partner liable for any negligence on the part of any other partner;
- limited liability company, in which the lawyer-owners are called "members" but are not directly liable to third party creditors of the law firm.

4. In many countries, including the United States and the United Kingdom, there is a rule that only lawyers may have an ownership interest in, or be managers of, a law firm. Thus, law firms cannot quickly raise capital through initial public offerings on the stock market, like most corporations. The rule was created in order to prevent conflicts of interest.

5. Lawyers are paid for their work in a variety of ways. In private practice, they may work for an hourly fee, a contingency fee (usually in cases involving personal injury), or a lump sum payment if the matter is straightforward. Normally, most lawyers negotiate a written fee agreement up front and may require a non-refundable retainer in advance. In many countries there are fee-shifting arrangements by which the loser must pay the winner's fees and costs.

6. Lawyers working directly on the payroll of governments, non-profits, and corporations usually earn a regular annual salary. In many countries lawyers can also volunteer their labor in the service of worthy causes through an arrangement called pro bono (for the common good). Traditionally such work was performed on behalf of

the poor, but in some countries it has now expanded to many other causes like the natural environment.



6.3. LEXIS

engage in - заниматься, иметь дело

business transaction - деловая операция, коммерческая сделка

specialty = speciality - специализация, специализированная услуга
composed - сборный, составной

diversify - диверсифицировать, разнообразить, дифференцировать

client base - клиентская база, клиентура

raise capital - привлекать капитал, мобилизовывать средства

stock market - фондовый рынок, рынок ценных бумаг

conflict of interest - "конфликт интересов", злоупотребление положением в личных целях

straightforward – простой, ясный, понятный

fee agreement - соглашение об оплате услуг

up front - предварительно, авансом, вперед

non-refundable retainer - невозмещаемый предварительный гонорар адвокату

fee-shifting arrangement - практика оплаты судебных издержек проигравшей стороной

on the payroll - в списочном составе, из фонда заработной платы

nonprofit - некоммерческая компания

volunteer - предлагать (свою помощь, услуги) бесплатно; вызываться добровольно; добровольно взять на себя что-л.

worthy cause - благое дело, социально-значимое дело



6.4. QUESTIONS

1. Is there any limitation with regard to the number of lawyers who may establish a law firm?

2. Does the size of a law firm reflect the range of services it may provide?

3. Who may have an ownership interest in a law firm? Why is it so?

4. What are the kinds of fees for legal services?

5. What does a fee-shifting arrangement stipulate?

6. Who in legal profession usually earns a regular annual salary?

6.5. AGREE OR DISAGREE



1. Only corporations may seek for advice of a law firm.

2. A law firm may be organized either as a sole proprietorship or a partnership.

3. Any citizen of a particular age and *compos mentis* may have an ownership interest in, or be a manager of, a law firm.

4. As a rule law firms raise their capital through regular public offerings on the stock market.
5. In many countries lawyers are prohibited to volunteer their labor.
6. In private practice lawyers work on the payroll of the government.
7. A lump sum payment is a common arrangement for work being performed on behalf of the poor.



6.6. SCANNING

Structure and Promotion

1. Law firms are typically organized around:

- (i) partners, who are joint owners and business directors of the legal operation;
- (ii) associates, who are employees of the firm with the prospect of becoming partners; and
- (iii) a variety of staff employees, providing paralegal, clerical, and other support services.

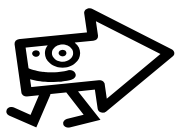
2. An associate may have to wait as long as 9 years before the decision is made as to whether the associate "makes partner". Many law firms have an "up-or-out policy" (if someone does not improve and work harder, he will have to leave his job or position): associates who do not make partner are required to resign, either to join another firm, go it alone as a solo practitioner, go to work in-house in a corporate legal department, or change profession (burnout rates are very high in law).

3. Making partner is very prestigious, especially in a large or midsize firm. Such firms take out advertisements in legal newspapers to announce who has made partner. Traditionally, partners shared directly in the profits of the firm, after paying salaried employees, the landlord, and the usual costs of furniture, office supplies, and books for the law library (or a database subscription).

4. Nowadays many large law firms have moved to a two-tiered partnership model, with equity and non-equity partners. Equity partners are considered to have ownership stakes in the firm, and share in the profits (and losses) of the firm. Non-equity partners are generally paid a fixed salary (albeit much higher than associates), and they are often granted certain limited voting rights with respect to firm operations.

5. It is rare for a partner to be forced out by fellow partners, although that can happen if the partner commits a crime or malpractice, experiences disruptive mental illness, or is not contributing to the firm's overall profitability. However, some large firms have writ-

ten into their partnership agreement a forced retirement age for partners. This age can be anywhere from age 65 on up.



6.7. LEXIS

joint owners - совладельцы, участники общей собственности

associate - ассоциированный, младший компаньон (являющийся членом какого-л. сообщества, но имеющий меньший статус и меньшие права, например, только совещательный голос)

paralegal - параюридический, не являющийся профессионально юридическим; относящийся к юридическим работникам без диплома юриста

clerical - канцелярский, конторский, офисный

support services - вспомогательные службы

make partner - произвести в компаньоны

up-or-out policy - система стимулирования продвижения по службе "повышайся или уходи"

resign - уходить в отставку, подавать в отставку; оставлять пост

join - 1) присоединяться 2) вступать в члены

go it alone - действовать в одиночку, самостоятельно

burnout rate - уровень кадровой текучки, сменяемости

take out advertisements - опубликовать объявление, извещение

office supplies - канцелярские товары

database subscription - абонемент на использование платной базой данных

two-tiered - двух уровневый

forced out - вытесненный, выгнанный

disruptive mental illness - деструктивное душевное заболевание

firm's overall profitability - общая рентабельность (доходность) компании

forced retirement - принудительная (вынужденная) отставка

on up - и старше



6.8. QUESTIONS

1. What is a difference between partners, associates and staff employees if we speak about law firms?

2. How did partners traditionally share in the profits of law firms?

3. What does an up-or-out policy mean?

4. What is a modern structure of large law firms?

5. Under what circumstances may a partner be expelled from the firm?

6.9. AGREE OR DISAGREE



1. Associates are employees of the firm who are sure "to make partners" after a year of service.
2. Sometimes making partner is rather prestigious, but only in a small law firm.
3. Non-equity and equity partners are granted the same rights.
4. A forced retirement age for partners can't be more than 65 years of age.
5. If the partner is not contributing to the firm's profitability he is demoted to a rank of an associate.



6.10. MATCH the verbs used in previous texts with their definitions:

to commit a crime, to conflict, to contribute, to diversify, to earn, to expand, to file, to focus, to join, to offer, to organize, to pay, to prevent, to resign, to seek, to share, to tempt

- 1) if it happens with two ideas, beliefs, stories, etc., it is not possible for them to exist together or for them both to be true;
- 2) to arrange something or the parts of something into a particular order or structure; to form a group of people with a shared aim especially a union or political party;
- 3) to attract somebody or make somebody want to do or have something, even if they know it is wrong; to persuade or try to persuade somebody to do something that you want them to do, for example by offering them something;
- 4) to become a member of an organization, a company, a club; to take part in something that somebody else is doing or to go somewhere with them;
- 5) to become greater in size, number or importance; to make something greater in size, number or importance;
- 6) to develop a wider range of products, interests, skills, etc. in order to be more successful or reduce risk;
- 7) to do something wrong or illegal;
- 8) to get money for work that you do;
- 9) to give attention, effort, etc. to one particular subject, situation or person rather than another;
- 10) to give somebody money for work, goods, services, etc.;
- 11) to give something, especially money or goods, to help somebody/something; to increase, improve or add to something;
- 12) to have or use something at the same time as somebody else; to divide something between two or more people; to be equally involved in something or responsible for something;

- 13) to look for something/somebody; to try to obtain or achieve something; to ask somebody for something;
- 14) to officially tell somebody that you are leaving your job, an organization, etc.;
- 15) to present something (e.g. documents) so that it can be officially recorded and dealt with;
- 16) to say that you are willing to do something for somebody or give something to somebody; to make something available or to provide the opportunity for something;
- 17) to stop somebody from doing something; to stop something from happening.



6.11. MATCH the following nouns with their definitions:

associate, conflict of interests, creditor, fee, injury, justice, liability, model, ownership, payroll, profit, retirement, shareholder, specialty

- 1) amount of money that you pay for professional advice or services; an amount of money that you pay to join an organization, or to do something;
- 2) area of work or study that somebody gives most of their attention to and knows a lot about; something that somebody is good at;
- 3) harm done to a person's or an animal's body, for example in an accident;
- 4) list of people employed by a company showing the amount of money to be paid to each of them;
- 5) owner of shares in a company or business;
- 6) person of a lower rank, having fewer rights in a particular profession or organization;
- 7) person, company, etc. that somebody owes money to;
- 8) situation in which there are two jobs, aims, roles, etc. and it is not possible for both of them to be treated equally and fairly at the same time;
- 9) something such as a system that can be copied by other people; a simple description of a system, used for explaining how something works or calculating what might happen, etc.;
- 10) the fact of owning something;
- 11) the fact of stopping work because you have reached a particular age; the period of your life after you have stopped work at a particular age;
- 12) the fair treatment of people; the quality of being fair or reasonable;

- 13) the money that you make in business or by selling things, especially after paying the costs involved; the advantage that you get from doing something;
- 14) the state of being legally responsible for something.



6.12. PREPARE a list of six-seven questions to ask about the texts "Law Firm" and "Structure and Promotion". Be ready to interview the students in your group.

6.13. KEY WORDS

associate	non-refundable retainer
contingency fee	on the payroll
equity partner	paralegal
fee agreement	professional association of
fee-shifting arrangement	lawyers
forced retirement	resign
hourly fee	salaried employee
lump sum payment	specialty
make partner	up-or-out policy
nonequity partner	volunteer

Unit 7. Professional Ethics



7.1. BEFORE READING learn the following words and phrases which are essential on the topic:

act zealously and faithfully - действовать усердно и честно

adversary system - система состязательности в суде; основополагающий принцип англо-американского судопроизводства; согласно этой концепции судья и жюри присяжных обязаны быть беспристрастными; истина выясняется в ходе столкновения (соревнования) позиций и доказательств сторон судебного процесса (обвинения и защиты) в присутствии третьей стороны (то есть судьи или жюри присяжных)

avoidance of conflicts of interest - предотвращение, недопущение конфликта [столкновения] интересов (ситуации столкновения двух несовместимых мотивов поведения личности (напр., в случае столкновения личных и служебных интересов, часто влекущего за собой злоупотребления служебным положением)

client-lawyer relationship - взаимоотношение юриста с клиентом, сфера отношений адвоката и его клиента

commitment and dedication to the interests of the client - обязательства и верность интересам клиента

secrecy of confidential information - сохранение секретности конфиденциальной информации; неразглашение секретной информации

conscientious lawyer - добросовестно относящийся к делу юрист

courtesy - учтивость, обходительность, вежливость, любезность; правила вежливости, этикет

diligence - прилежание, старание, старательность, усердие, усердность

duties to the court - моральные обязательства по отношению к суду

lawyer/client privilege - право клиента потребовать от адвоката конфиденциальности информации, которую клиент сообщает своему адвокату

loyalty to clients - верность, преданность; лояльность по отношению к клиенту

manipulative lawyer - юрист, занимающийся манипуляцией

professional ethics - профессиональная этика (совокупность норм поведения, свойственных какой-л. профессиональной группе)

professional shortcoming - профессиональный недостаток, слабое место

promptness - проворство, расторопность, быстрота

trustworthiness - добросовестность, степень доверия, надёжность



7.2. SCANNING

Lawyers and Professional Ethics

1. In America the legal profession is regulated primarily by state law, although the federal courts exercise authority over lawyers appearing in litigation before them. The governing regulations include codes of professional ethics; duties and responsibilities imposed by the law of procedure; and common law rules. This body of law is usually called the law of professional responsibility.

2. Each state has a code of professional ethics that defines the lawyer's responsibilities in representing clients. These provisions vary *somewhat* from state to state but in *essentials* are quite the same *throughout* the country. Most states, and the federal courts as well, have adopted the Rules of Professional Conduct, a code of ethical rules that has been formulated by the American Bar Association.

3. The Rules of Professional Conduct cover most aspects of a lawyer's professional responsibilities, including the duties of loyalty to clients and avoidance of conflicts of interest; the duty to maintain the secrecy of confidential information obtained from clients; duties toward opposing parties in litigation and negotiations; responsibilities of supervising lawyers and partners in law firms concerning ethical practice by subordinate lawyers; and duties of advocates to the courts.

4. In the adversary system, the lawyer's duties to the court are delicately balanced with responsibilities to the client. On behalf of the client, the advocate must act zealously and faithfully. This requires the advocate to present all favorable evidence, to mitigate unfavorable evidence by cross-examination and argument, and to advance the most favorable interpretation of the law.

5. A lawyer has a duty to advise against illegal actions, but also must maintain confidences shared with him during the course of the lawyer/client relationship. The lawyer/client privilege permits clients to keep confidential matters discussed by or with their lawyers. This privilege can be waived by the client; for instance, he may subsequently disclose lawyer/client communications to a third party. Also, because the lawyer/client privilege depends on confidential communications, it does not extend to statements made in the presence of, or letters sent to, persons in addition to the lawyer and client.

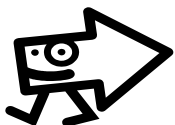
6. A lawyer should not disclose adverse evidence except as required by the rules of procedure, including the rules governing pre-trial discovery. In deference to the court, however, the advocate must not present evidence that he knows to be false, for example, testimony of a witness he knows to be lying. The advocate has authority to refuse to offer evidence that he believes is false, even if the client wishes such evidence to be introduced. The advocate must advise the court of authoritative legal sources of which the court is unaware. Finally, the lawyer is obliged to be truthful in all statements made to the court of his own knowledge. For example, a lawyer may not seek a delay of proceedings based on a false statement that he has been called away by an emergency.

7. As a professional, the lawyer cannot always be expected to do the client's bidding; the lawyer may believe that the client's interest would best be served by another course of action. But occasionally lawyer/client differences stem from what the lawyer perceives to be his professional, ethical obligations. Whenever differences arise, frank discussions are usually necessary and may, in fact, resolve the differences.

8. In practice, these ethical responsibilities are often *imperfectly* fulfilled. The adversary system *subjects* the advocates to great *incentives* to ignore the duty to the court in favor of the interest of the client. Perhaps the most *sensitive problem* arises in the preparation of testimony, including the client's own testimony. The advocate is permitted to consult confidentially with the client and other favorable witnesses concerning their *anticipated* testimony in discovery and at trial. In such conversations, the lawyer is not permitted to advise the witness of the testimony to be given, for that would constitute *fabrication* of evidence.

9. The conduct of the advocates in the adversary system is also governed by the rules of court procedure. Among these controls is the procedural rule that any communication by an advocate to the court must be disclosed to all opposing parties. For example, when a written pretrial *motion* is filed with the court, the procedural rules require that a full copy must be provided to opposing parties. The same principle applies to oral presentations to the court.

10. Another procedural control is the *pretrial discovery* procedure. Although an advocate may conduct unilateral discussions with prospective witnesses, opposing parties may *depose* those witnesses before trial. A *deposition* consists of questioning under oath that is recorded *verbatim*, which may be *pursued aggressively* and in detail. The witness's responses may later be used in cross-examination at trial.



7.3. LEXIS

somewhat - отчасти, до некоторой степени, слегка

essentials - сущность; суть; главное; основные элементы

throughout - повсюду; на всем протяжении

obtained - полученный

supervising – руководящий, вышестоящий

subordinate – подчиненный, нижестоящий

mitigate - ослаблять; смягчать последствия

unfavorable - неблагоприятный, отрицательный

waive - отказаться от права

communication - обмен информацией, передача (и прием) информации; общение; контакт(ы)

adverse - неблагоприятный, нежелательный, вредный, противоречащий интересам

pretrial discovery - предоставление суду результатов предварительного расследования

deference – уважение, почтительное отношение

lie – обманывать, лгать

authoritative - официальный, заслуживающий доверия
 unaware - не знающий чего-л., неосведомленный
 delay - задержка, приостановка, промедление
 call away – вызывать, отзывать
 bidding - приказ, приказание, распоряжение
 course of action - образ действия, план действий, линия поведения
 stem from - возникать, обуславливаться
 perceive - воспринимать; чувствовать; понимать
 whenever - когда бы ни, когда же
 frank discussion - откровенное обсуждение, открытый обмен
 мнениями
 imperfectly – неполностью, недостаточно
 subject to incentive - подвергать искушению
 sensitive problem - щекотливая проблема
 anticipate - ожидать, предвидеть; ждать
 fabrication - выдумка; ложь, фальсификация, подделка,
 motion - ходатайство (в суде)
 pretrial discovery - представление списка свидетелей стороны до
 суда
 depose - 1) допрашивать под присягой 2) свидетельствовать, да-
 вать письменные показания под присягой
 deposition - 1) письменные показания под присягой; снятие по-
 казаний под присягой 2) приобщение к материалам дела 3)
 приобщённое к материалам дела доказательство, показание,
 заявление
 verbatim – стенограмма, слово в слово; стенографический, до-
 словный
 pursue aggressively - проводить "с пристрастием", напористо



7.4. QUESTIONS

1. How is the legal profession regulated in America?
2. What is the purpose of creating a code of professional ethics in each American state?
3. What areas of professional activity do such codes usually cover?
4. What is the official name of the code of professional ethics adopted by the ABA?
5. What is a lawyer/client privilege? May any party waive this privilege?
6. What conduct of an advocate may be treated as a fabrication of evidence?
7. How do the rules of court procedure restrict the activity of advocates?
8. What is the purpose of having a deposition testimony?



7.5. AGREE OR DISAGREE

1. Lawyers in America are regulated primarily by the federal courts.
2. The law of professional responsibility includes court procedure norms, the guidelines of professional ethics, and common law rules.
3. Each state in the USA has its own code of professional ethics which is to win approval of the ABA.
4. In America the lawyer's responsibilities to his client supersede his duties to the court.
5. A lawyer should always disclose adverse evidence.
6. The pretrial communications by an advocate to the court need not be disclosed to the opposing party.



7.6. SCANNING

Client-Lawyer Relationship

an excerpt from the Model Rules of Professional Conduct ("Ethics 2000"), US

Rule 1.3 Diligence

A lawyer shall act with reasonable diligence and promptness in representing a client.

Rule 1.3 Diligence - Comment

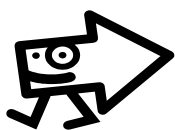
1) A lawyer should pursue a matter on behalf of a client despite opposition, obstruction or personal inconvenience to the lawyer, and take whatever lawful and ethical measures are required to vindicate a client's cause or endeavor. A lawyer must also act with commitment and dedication to the interests of the client and with zeal in advocacy upon the client's behalf. A lawyer is not bound, however, to press for every advantage that might be realized for a client. For example, a lawyer may have authority to exercise professional discretion in determining the means by which a matter should be pursued.

2) A lawyer's work load must be controlled so that each matter can be handled competently.

3) Perhaps the most widely resented shortcoming of legal profession is procrastination. A client's interests often can be adversely affected by the passage of time or the change of conditions; in extreme instances, as when a lawyer overlooks a statute of limitations, the client's legal position may be destroyed. A lawyer's duty to act with reasonable promptness, however, does not preclude the lawyer from agreeing to a reasonable request for a postponement that will not prejudice the lawyer's client.

4) Unless the relationship is terminated a lawyer should carry through to conclusion all matters undertaken for a client. If a lawyer's employment is limited to a specific matter, the relationship terminates when the matter has been resolved. If a lawyer has served a client over a substantial period in a variety of matters, the client sometimes may assume that the lawyer will continue to serve on a continuing basis unless the lawyer gives notice of withdrawal. Doubt about whether a client-lawyer relationship still exists should be clarified by the lawyer, preferably in writing, so that the client will not mistakenly suppose the lawyer is looking after the client's affairs when the lawyer has ceased to do so.

5) To prevent neglect of client matters in the event of a sole practitioner's death or disability, the duty of diligence may require that each sole practitioner prepare a plan, in conformity with applicable rules, that designates another competent lawyer to review client files, notify each client of the lawyer's death or disability, and determine whether there is a need for immediate protective action.



7.7. LEXIS

pursue a matter - вести дело

obstruction - препятствие; преграда, затруднение

inconvenience - беспокойство, неудобство

vindicate - 1) доказывать, подтверждать 2) отстаивать, защищать

endeavor - действие, усилие, старание, попытка

zeal - рвение, старание, усердие

press for – добиваться, стремиться, настаивать на

resent - негодовать, возмущаться, обижаться за

procrastination - откладывание со дня на день, отсрочка; промедление

adversely affected - нарушенный; оказавшийся под отрицательным, неблагоприятным воздействием; затронутый

passage of time - течение времени, прохождение срока

overlook - упустить из виду, не учесть, пренебрегать

statute of limitations - закон об исковой давности; закон о давности уголовного преследования

destroy - лишить юридической силы, аннулировать, уничтожить

preclude (from) – мешать, препятствовать

postponement - откладывание; задержка, отсрочка

prejudice - наносить ущерб, причинять вред

terminate - завершать(ся), кончать(ся)

carry through - доводить (до конца), завершить

matters undertaken for a client - принятые на себя дела клиента

look after - присматривать за, проявлять заботу, досматривать

cease - прекращать, останавливать; приостанавливать

neglect - упущение; невыполнение; пренебрежение, небрежность
designate - указывать, обозначать; определять



7.8. QUESTIONS

1. Is it an obligation for a lawyer to press for every advantage in behalf of his client?
2. Does the use of offensive tactics constitute part and parcel of the lawyer's duty to his client?
3. What is procrastination? How is it associated with legal profession?
4. When does the relationship between a lawyer and his client terminate?
5. Who and how should clarify whether a client-lawyer relationship still exists?
6. What should the lawyer, working as a sole practitioner, do in order to prevent neglect of his clients' matters in the event of his death or disability?



7.9. AGREE OR DISAGREE

1. The most resented shortcomings of legal profession are expensiveness of legal services and inaccessibility of lawyers.
2. Each client has to prepare a plan that designates another person to notify his or her lawyer of the client's death or disability.
3. Even if a client-lawyer relationship is terminated a lawyer should accomplish all matters undertaken for a client.



7.10. EXERCISE

A legal practitioner has been consulted by a new client who has been injured in a road traffic accident. The lawyer has agreed to act for this client in pursuing compensation on his behalf for the injuries he received in the accident. This will involve issuing legal proceedings against the driver responsible for the accident. Firstly however the lawyer is required to send the letter to the client confirming his instructions.

Read this letter and translate it, then choose the sentences or phrases that express the extent of responsibility of A. Lawyer to his client.

STRINGWOOD & EVANS
18 Bond Street
London
United Kingdom
Tel. No: +44 020 7538 2892

Mr. N. Tiessen
27 London Road
Kingston Upon Thames
Surrey
KT4 2LT 30 November 2007

Re: Accident on 21st September 2007

Dear Mr. Tiessen,

Further to our meeting yesterday I write to confirm that I will act for you in pursuing a claim against Mr. Matthew Gluck and his employer concerning the accident on Friday 21st September 2007. I am a solicitor within the Litigation Department of this firm and will be responsible for the day-to-day work on your file. My secretary, Jennifer Henderson, will be assisting me and can be contacted in the event that I am unavailable at any time you contact this office.

I strive to keep all my clients fully informed and updated concerning the progress of their cases. If you require any clarification of any matter or have any queries at any time however please do not hesitate to contact me.

This firm aims to provide an efficient service and I am confident that we will do so in your case. If however you have any complaints concerning the service being provided that are not resolved to your satisfaction by me then any such complaint should be addressed to the senior partner, Mrs. Christine Stringwood.

If your claim is successful, with liability being established on the balance of probabilities against the Defendants, then you will be entitled to damages. On the basis of the evidence you have provided it is my opinion that your claim has good prospects of success. It may therefore prove possible to negotiate a settlement with the other parties' legal representatives.

There are two main types of damages as follows:

1. General Damages – in other words compensation for pain, suffering and loss of amenity.
2. Special Damages – meaning actual financial losses incurred up to the date of trial (including for instance loss of earnings etc.).

I will write to you again as soon as there are any further developments with your case.

Yours sincerely,
A. Lawyer



7.11. AGREE OR DISAGREE

1. The writer of the letter is declining to act for Nicholas Tiessen.
2. The writer is a solicitor within the banking department of Stringwood & Evans.
3. The firm has a complaints handling procedure.
4. The clients should inform the lawyers concerning the progress of their cases.
5. Mrs. Christine Stringwood will be assisting the author of the letter and can be contacted if the lawyer is unavailable at any time the client contacts the office.
6. To succeed in his claim it is necessary for Nicholas Tiessen to prove liability beyond all reasonable doubt.
7. There is a good chance that Nicholas Tiessen's claim will be successful.
8. General Damages include loss of earnings up to the date of the trial.
9. General Damages cover actual financial losses incurred up to the date of trial.

7.12. KEY WORDS

avoidance of conflicts of interest	legal representative
client-lawyer relationship	offensive tactics
code of professional ethics	on behalf of a client
communication to the court	pretrial discovery
confidential information	pretrial discovery procedure
deposition	procrastination
destroy	provide service
duties to the court	pursue a claim/matter
file a motion	supervising/subordinate lawyer
law of professional responsibility	statute of limitations
lawyer/client privilege	written pretrial motion

Unit 8. Studying Law



8.1. BEFORE READING learn the following words and phrases which are essential on the topic:

applicant - абитуриент, претендент, соискатель

bachelor degree - степень бакалавра (степень, приобретаемая студентом после освоения программ базового высшего образования, как правило, после трёх-четырёх лет обучения в вузе)

call to the Bar - 1) предоставление права адвокатской практики; присвоение звания барристера 2) принимать в адвокатское сословие, предоставлять право адвокатской практики, присвоить звание барристера

campus - студенческий (университетский) городок (кампус); комплекс зданий и сооружений, в который входят учебные корпуса, лаборатории, библиотека, спортзал, административные помещения, студенческий клуб, поликлиника, общежития и т.п.

clinical course - практические занятия студентов по оказанию юридической помощи клиентам

compulsory subject - обязательный учебный предмет

external clinical placement - прохождение практики студентами-юристами непосредственно на базе какой-либо юридической фирмы

full-time - обучающийся в режиме полного дня (о студенте, который обучается по стандартному графику и обязан за определенный период посетить стандартное количество занятий)

LLB = Bachelor of Law - бакалавр юридических наук (первая степень высшего образования в области права)

LLM = Master of Law - магистр юридических наук (вторая степень высшего образования в области права)

master's degree - степень магистра (степень, промежуточная между бакалавром и доктором, присваивается после 1-2 лет учебы в магистратуре)

moot court = mock trial - инсценированный судебный процесс, учебный судебный процесс (в юридической школе, школе адвокатов)

on-site clinic - оказание студентами юридической помощи клиентам на базе вуза (как форма прохождения практики)

optional subject - факультативный учебный предмет; предоставляемый на выбор, выбираемый по желанию; элективный, рекомендуемый, но не обязательный предмет

part-time - обучающийся в режиме неполного дня [вечернее или заочное обучение] (о студенте, который обучается по такому графику, что за определенный период посещает меньше занятий, чем студент на стандартном (полном) графике; обычно речь идет о студентах, совмещающих обучение с работой)

postgraduate - кандидат на получение учёной степени выше степени бакалавра, студент магистратуры; студент, уже имеющий степень бакалавра, но продолжающий обучение в университете для получения более высокой степени

pupillage = apprenticeship = vocational training - ученичество, срок учения, период обучения (процесс обучения на практике, при

котором ученик работает в течение определенного времени обычно за особую плату, оговоренную в ученическом договоре или установленную трудовым законодательством)

tuition - 1) обучение 2) деятельность, функции учителя, учительство 3) плата за обучение в университете или колледже

undergraduate - студент университета или колледжа, кандидат на получение учёной степени бакалавра



8.2. SCANNING

Studying Law in the UK

1. In the UK, a legal education usually begins with the completion of a bachelor degree in law, known as an LLB, which usually takes three years. However, many students graduate in a non-law subject and then undertake a one year conversion course known as a postgraduate Diploma in Law or GDL.

2. A person wishing to become a solicitor must complete three stages: the first stage involves gaining a law degree; the second stage requires passing a one-year full-time (or two years part-time) Legal Practice Course (LPC); and the final stage entails working for two years as a trainee solicitor with a firm of solicitors or in the legal department of a local authority or large company. At this stage, a trainee solicitor is paid a salary.

3. The Legal Practice Course can be taken in many different formats including full-time and part-time; fees range from £5,000-£10,000. A significant proportion of students have their fees and some living expenses paid for by future employers under a training contract.

4. Course content:

- Skills comprise advocacy, interviewing and advising, writing, drafting and research, accounting, taxation, trusts and tax planning.

- Compulsory 'core' subjects are taught in the first (and longest) part of the course; they are generally Criminal Law, Business Law, Property Law and Civil Litigation, European Community Law, Human Rights Law.

- Optional 'elective' subjects, taught in the shorter second half of the course, are: further Criminal Law, further Personal Injury, Family Law, Employment Law, further Probate and Private Client, Commercial Law, Welfare Law and Commercial Property Law.

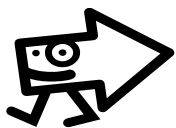
5. Intending barristers also need a qualifying law degree in order to apply to join one of the Inns of Court to study for the Bar Vocational Course, or BVC. It's also mandatory for students to keep

terms, which means dining at their Inn a fixed number of times, before they can be called to the Bar, that is, qualify as a barrister.

6. Then the new barrister faces intense competition to obtain a funded pupillage in chambers for twelve months in order to get practical training. All applicants are advised first to do a mini-pupillage or one or two weeks to get some insight into what being a pupil is like. Pupillage is divided into two parts - a non-practising six months when pupils shadow their pupil master, an experienced barrister, by observing professional activities, and the second, practising six months when pupils, with their supervisor's permission, can undertake to supply legal services and exercise rights of audience, in other words, speak in court.

7. To gain a Full Qualification Certificate pupils must learn the rules of conduct and etiquette at the Bar, learn to prepare and present a case competently, learn to draft pleadings and opinions, have advocacy training, and pass a forensic accountancy course which covers the use of financial information in litigation. If successful at the end of the twelve months, the qualified barrister applies for a tenancy in chambers.

8. When a junior barrister has practised at the Bar for 10 to 15 years, it's possible to apply to become a senior barrister, or Queen's Counsel (QC), whose work concentrates on court appearances, advocacy, and opinions.



8.3. LEXIS

conversion course – курс переподготовки, переходной курс обучения

gaining - получение, приобретение

trainee solicitor - солиситор-стажёр, практикант

skills - навыки; умение; практический опыт

welfare law - законодательство о социальном обеспечении

intending – желающий стать, намеревающийся

keep terms - посещать занятия

dining – система учебных занятий в неформальной обстановке, так называемые "занятия в столовой"

funded pupillage – оплаченный курс ученичества

shadow – непрестанно следовать за, непрерывно наблюдать

forensic accountancy course – курс правовой бухгалтерской отчетности

tenancy - членство

junior barrister - барристер ниже ранга королевского адвоката

court appearances – выступления в суде первой инстанции

opinions - экспертиза



8.4. QUESTIONS

1. How many years does an LLB course last?
2. May graduates in non-law subjects enter a law school?
3. What three stages is it necessary to complete in order to become a solicitor?
4. How long is a full-time LPC?
5. What subjects are compulsory for future solicitors?
6. What does the Bar Vocational Course include?
7. What is the purpose of a mini-pupillage?
8. What are the two parts of pupillage?
9. Are the skills acquired by solicitors and barristers the same?
10. What are the requirements for becoming a QC?



8.5. AGREE OR DISAGREE

1. If a person in Great Britain has received a bachelor degree in law he is either a solicitor or barrister.
2. Trainee solicitors must pay for apprenticeship.
3. The LPC should be taken only in a full-time format.
4. Optional subjects are mastered by future solicitors in the first half of the Legal Practice Course.
5. The Bar Vocational Course is mandatory for all law students.



8.6. SCANNING

Studying Law in the USA

1. **Acceptance into US Law Schools.** In the United States, *in common with* the UK, the formal study of law is only available at the postgraduate level. To attend an American law school, a student must already hold an undergraduate degree.

2. Law schools do not require that applicants take an undergraduate degree in a particular subject or to have completed specific courses. However, there are certain skills and areas of knowledge that the law school candidate should seek to develop. Necessary skills include critical thinking, problem solving, analytical reading, oral and written communication and general *research skills*.

3. Prospective law school candidates should also seek to gain a basic understanding in certain subjects. These areas include American history; political theory and the American political system; ethics and theories of justice (found in philosophy and religion courses); micro-economic theory; basic maths and accounting skills; *human behaviour* and *social interaction* (found in psychology and sociology courses) and an *awareness of international issues*.

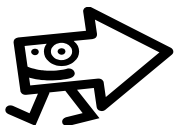
4. **Types of Law Degrees.** The law degrees offered by American law schools *in order of seniority* are the professional *Juris Doctor* (JD) degree, the master's degree in law (LLM), and the *Doctor of Juridical Science* (SJD or JSD).

5. **Structure of the Juris Doctor Programme.** The first year *is quite structured with* compulsory courses such as civil procedure, constitutional law, contracts, criminal law and procedure, property law and torts. The first year may also include moot court exercises in which students argue cases against one another.

6. During the second and third year, courses may include evidence, civil litigation, taxation, wills and trusts, administrative, corporate, commercial, family, environmental or international law.

7. Opportunities for gaining professional skills are available after the first year through a clinical course, which allows for *actual* or *simulated* work with clients. These opportunities vary among law schools but usually take the form of an actual on-site clinic dealing with minor cases or an external clinical placement with a real law firm.

8. **Expenses.** The cost of applying to each law school in America can range between \$25 and \$100. Tuition for law school can range from \$5,000 up to \$25,000 per academic year. These figures do not include living expenses. The average living cost is about \$9,000 for those residing on campus and more than \$12,000 for those living off campus.



8.7. LEXIS

in common with - как и; подобно тому, как
research skills – навыки поиска информации

human behaviour - поведение и общение человека

social interaction - социальное взаимодействие

awareness of international issues - понимание международных проблем

in order of seniority - в порядке старшинства

Juris Doctor - доктор права (первая степень в области права, приравнивается к степени "бакалавр юридических наук")

Doctor of Juridical Science - доктор юридических наук

be quite structured with – почти полностью состоять из

actual - действительный, фактически существующий, фактический

simulated - имитированный, искусственный, условный



8.8. **PREPARE** a list of five-seven questions of your own to ask about the text above. Be ready to interview the students in your group.



8.9. AGREE OR DISAGREE

1. The Juris Doctor degree is an equivalent to the Doctor of Juridical Science.
2. The first year of the Juris Doctor Programme is structured mostly with elective courses.
3. The clinical course usually involves an actual on-site clinic.
4. Tuition for law school includes living expenses.
5. As a rule living in campus is cheaper than living off campus.



8.10. SCANNING



Emory Law School

1. The Emory law school, situated in the state capital of Georgia, Atlanta, USA, has identified several major goals of the first-year program, including:

- a) development of analytical skills and ability to read and understand cases and statutory materials;
- b) practice in oral skills and argument;
- c) introduction to legal research and drafting; and
- d) basic substantive law coverage as the foundation for upper-level courses.

2. Small sections and individual attention are features of first-year instruction at Emory. Each first-year student takes the research, writing and appellate advocacy course from a practicing attorney in a section of no more than ten students and substantive courses (civil procedure, criminal law, contracts or torts) in a section of approximately thirty students. This makes Emory distinctive among many other law schools, which frequently have class sizes of one hundred or more.

3. Instruction is based primarily on the case method, with an emphasis on developing analytical thinking. The first-year courses, when mastered together, acquaint students with how the law develops through judicial decision and the interpretation of statutes. These courses furnish the foundation on which students build a sound legal education.

4. Structure of the First-Year Course:

(i) Fall Semester. Total: 15 hours of credit

Civil Procedure I. 3 hours. Emphasis on the allocation of judicial power between state and federal judiciaries, with particular attention given to the jurisdiction and venue of federal district courts and the law applied in federal courts; and arbitration as an alternative method of dispute resolution.

Contracts. 4 hours. A study of the basic principles governing the formation, performance, enforcement, and imposition of contractual obligations, and the role of these principles in the ordering processes of society.

Criminal Law. 3 hours. A study of common and statutory criminal law, including origin and purpose; classification of crimes; elements of criminal liability and the development of the law respecting specific crimes.

Research, Writing and Appellate Advocacy. 1 hour. An introduction to law and sources of law, legal bibliography and research techniques and strategies, the analysis of problems in legal terms, the writing of an office memorandum of law and an appellate brief, and the presentation of a case in appellate oral argument.

Torts. 4 hours. A study of compensation for personal and property damages growing out of negligence, intent, or strict liability, with special attention given to nuisance, misrepresentation, defamation, and privacy.

(ii) Spring Semester. Total: 16 hours of credit

Business Associations. 4 hours. A study of the basic concepts in agency and partnership, including an introduction to modern corporation law. Fundamental duties and allocations of power between shareholders, directors, and officers are examined.

Civil Procedure II. 3 hours. An examination of the trial and appellate procedure in civil cases, including the formulation and defense of claims (pleading), aids and alternatives to trial (discovery and pretrial motions); the trial, with emphasis on the right, function, and control of jury trials; and the review of the disposition of litigation (post-trial motions and appellate review).

Constitutional Law I. 4 hours. An introductory study of the United States Constitution, including judicial review, the powers of Congress, the powers of the president, and the interrelationship of state and national governments; an introduction to individual rights.

Research, Writing and Appellate Advocacy (Second Part) 1 additional hour.

Property. 4 hours. An introduction to alternative theories of property rights, the division of property rights over time (common law estates, landlord-tenant law), concurrent ownership, private land use controls (easements, covenants), and public land use controls (eminent domain, zoning).

5. Structure of the Second and Third-Year Courses. With few exceptions, all courses are elective after the first year. Three re-

quired courses which all students must successfully complete are the following:

Evidence. 4 hours. A general consideration of the rules of evidence, including relevancy, the hearsay rule, witnesses, presumptions and burdens, writings, scientific and demonstrative evidence, judicial notice, and privilege, including the constitutional privileges.

Legal Profession. 3 hours. A study of the law that governs the conduct of the lawyer in our society. It emphasizes the various roles of the lawyer in the different legal processes: legislative, judicial, administrative, and private.

Trial Techniques. 2 hours. An intensive instruction in every aspect of trial advocacy. Includes practical experience in trying cases, examining witnesses, introducing evidence, and dealing with objections in jury and non-jury trials. Trial experience is supplemented by textbook, lectures, and discussions.

6. In addition, prior to graduation every student must fulfill the **writing requirement**. This requirement may be satisfied by successfully completing a seminar or a directed research project (2 hours) approved by a faculty member and the associate dean for academic affairs.

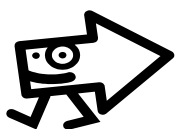
7. All courses described as seminars, workshops, or clinical placements are limited-enrollment courses. In addition, some second- and third-year courses offered during the academic year are subject to enrollment limitations.

8. **Seminars** covering a variety of subjects are offered each semester in the law school. Each seminar is worth two credit hours. The following are the examples of such seminars: Comparative Constitutional Law, Constitution and Foreign Relations, Corporate Civil and Criminal Liability, Criminal Procedure: Individual Liberty and Institutional Authority, Employment Discrimination, International Criminal Procedure, The Jury System, Law and Literature, Products Liability, Real Estate Loan Restructuring, Sentencing Reform, Topics in Comparative and Historical Criminal Procedures.

9. **Field Placements** provide a link between the classroom and the legal profession under the supervision of practicing attorneys. Field placements for second- and third-year students are available with a wide variety of federal agencies, with public interest organizations, and judges. Third-year students may also take litigation placements.

10. All field placements emphasize practical skills and expose students to various aspects of the practice of law. Students are limited to one placement per semester. They may interview clients,

negotiate agreements, present cases, conduct legal research and generally participate in the work of the particular office. Through these *field experiences*, students can begin to sense their own opportunities and responsibilities within the legal profession. All field placements require a minimum of 110 hours of work per semester for two hours of credit.



8.11. LEXIS

cases and statutory materials - судебные решения по делу (прецеденты) и предусмотренная законом документация

oral skills and argument - умение выступать в суде с изложением доводов (стороны по делу)

basic substantive law coverage – первоначальное ознакомление с материальными нормами отраслей права

section – группа, звено, секция

research, writing and appellate advocacy – сбор доказательств, оформление документации и отстаивание дела в суде

case method - метод обучения на примерах случаев из практики

master – овладеть, усваивать

sound – прочный, основательный, полноценный

fall semester – осенний семестр

hour of credit – зачетный балл (о прохождении курса в учебном заведении)

ordering process - приведение в порядок, процесс упорядочивания

office memorandum of law - служебная юридическая записка

appellate brief - записка по делу, представляемая адвокатом в апелляционный суд

allocations of power - распределение полномочий

aids – пособия, помощь

discovery and pretrial motions - представление документов суду и ходатайства на предварительной стадии до судебного заседания

disposition of litigation – действия по осуществлению решения по гражданскому судебному спору

judicial review - право судебной власти пересматривать и отменять постановления законодательной и исполнительной властей

easement - сервитут

eminent domain - право государства на принудительное отчуждение частной собственности

elective - по выбору; рекомендуемый, но не обязательный

relevancy – обоснованность, относимость (к делу)

hearsay rule - принцип недопустимости показаний с чужих слов

judicial notice - признание судом факта общеизвестным

prior to – раньше, прежде, до того как
writing requirement – требования по написанию письменных работ
directed research project – рецензируемая научно-исследовательская работа
faculty member - преподаватель высшего учебного заведения, член кафедры
associate dean for academic affairs – заместитель декана факультета по учебной работе
workshop - практикум
clinical placement – прохождение юридической практики (в реальных условиях)
limited-enrollment – с ограниченным количеством кандидатов
comparative – сопоставительный, сравнительный
products liability - ответственность за качество выпускаемой продукции
expose – раскрывать, подставлять
field experience - производственная практика



8.12. QUESTIONS

1. What students' activities are evaluated with credits?
2. What are the major goals of the first-year courses at the Emory law school?
3. What makes the Emory law school different from many other law schools in America?
4. Which first-year courses get higher credits?
5. What courses are mandatory for all students after the first year?
6. How many credit hours is each seminar worth?
7. Where are field placements made available to second- and third-year students?
8. How many credit hours are field placements worth per semester?



8.13. AGREE OR DISAGREE

1. First-year students take the research, writing and appellate advocacy courses in sections of no more than twenty students and substantive courses in sections of about thirty students.
2. Case method as a form of instruction may also be used by faculty members.
3. In order to complete a first-year course a student should get no less than 31 hours of credit.
4. Emphasis of the first-year course "Constitutional Law" is on the allocation of judicial power between state and federal judiciaries.
5. Arbitration as an alternative method of dispute resolution is discussed in studies of Business Associations.

6. Research, Writing and Appellate Advocacy is focused on the introduction to law and sources of law, legal bibliography and research techniques.
7. After the first year all courses at the Emory law school are elective.
8. Seminars and clinical placements are limited-enrollment courses.



8.14. EXERCISE. Diana Williams is a lawyer. Today she is going to visit a school in her town to talk to the students about a career in law. Here are some of Diana's notes for her talk about the two separate professions that exist in England, solicitors and barristers.

Fill in the gaps in the text with the correct word from the box below.

partner	qualify	partnerships	judge	fixed salary	court
client	solicitor	attorney	audience	associate	claims

In England we have two different types of lawyer. One is known as a (a) __ and the other is a barrister. Both are called 'lawyers'. This can be a little confusing because in the USA every lawyer is usually known as an (b) __. An English law student has to decide at sometime during their university studies which type of lawyer they would like to become when they finally (c) __ as a lawyer.

Most English law students decide to become a solicitor. These are the lawyers that a (d) __, the person who pays for the services of a lawyer, will usually meet first. Often the solicitor can help the client without the need for a barrister.

Most solicitors work in small private businesses, known as (e) __, in what are called 'High Street firms'. This phrase 'High Street firm' refers to a typical, small group of solicitors working together in the type of offices that you can find on the major streets of any English town or city.

A young lawyer will usually work first as an (f) __ of the firm and gain some experience while being paid a (g) __ before being offered the opportunity to become a (h) __. A typical High Street solicitor usually specialises in a particular area of law, such as family, employment or commercial law. Many people believe that solicitors cannot act for their clients in (i) __ but this is untrue. Thousands of solicitors appear in court every day, especially in the County Courts where most (j) __ are filed.

The second type of lawyer found in England is known as a barrister. Barristers are usually specialists in a very particular area of law. They give advice and opinions to solicitors and their clients. Barristers have the right of (k) __ (the right to be heard by a judge)

in all of the courts in the land. Barristers often share offices, known by the traditional name of chambers, although they all work alone as individuals because they are forbidden to work as partners. After several years of experience, members of either profession may apply to preside over cases and sit as a (l) _____. Within the English legal system a law student cannot take an exam to be a judge but has to wait to be appointed after some years of experience as a lawyer.



8.15. EXERCISE

Read the text below and think of the word that best fits each space. Use only one word in each space.

advocate	insolvency	chambers	damages	drafting
employed	academic study of law	partnerships		
	pleading	proceedings	qualify	

Life as a barrister is prestigious but it can also be extremely stressful. Julia de Burca is a barrister in London. The first difficulty Julia had was to (a) _____ as a barrister at all. Only 500 or so law students manage to pass the Bar Vocational Course in England and Wales every year. In an average year approximately 1,500 students begin the course, so many do not make it.

The Bar Vocational Course is described as a bridge between the (b) _____ and having to actually practice law in the real world. Julia passed the course three years ago.

In a typical day Julia leaves her flat at 7.30 am and arrives at (c) _____, the special name for a barrister's office, at 8.30 am. Julia shares a building with 14 other barristers. However, they are not partners. Barristers are allowed to share office accommodation but they are not allowed to form (d) _____. Every barrister is self-(e) _____.

If she is representing a client that day Julia travels directly to court. Speaking on behalf of a client in court is called (f) _____ a case. As a barrister, Julia has the right of audience in court at every level. She is a confident (g) _____, which means that she is skilled at speaking in court. Julia is very successful in court, as she loves public speaking. She is also required to do a lot of research and a lot of (h) _____, which means writing legal documents. On days when Julia is not in court she spends her time preparing cases and writing opinions. She usually leaves work at around 7.30 pm, taking any work that is not finished with her. Julia often works long hours over the weekend.

Julia is a specialist in (i) _____, so she advises clients who owe money but for some reason they cannot pay. All of Julia's clients are companies. When a company has financial problems, Julia will

advise the company if it can legally continue trading. She sometimes has to defend clients in court when legal (j) ___ have been issued against them. If her client loses the case and the judge awards (k) ___ to the claimant then Julia will advise her client on what to do next.

8.16. KEY WORDS

Bar Vocational Course	limited enrollment
call to the Bar	LLB
case method	LLM
clinical placement	moot court
compulsory subject	optional/elective subject
faculty member	postgraduate
fall/spring semester	pupilage
hour of credit	trainee solicitor
JD	tuition
JSD	undergraduate degree
Legal Practice Course	workshop

Unit 9. Job Seeking



9.1. BEFORE READING learn the following words and phrases which are essential on the topic:

apply for the job - подавать заявление о приёме на работу, участвовать в конкурсе на вакантное место

award - 1) премия, награда, приз, поощрение

contribution - личный вклад, содействие, участие, сотрудничество

cover letter = covering letter = letter of representation - сопроводительное письмо

credential - 1) аттестат, диплом об образовании, 2) грамота, удостоверяющая информация 3) рекомендательное письмо

Curriculum Vitae (CV) - профессиональная биография (в пер. с лат. "путь жизни"; краткое описание образования, профессионального опыта и достижений, которое составляется при устройстве на работу, подаче документов на участие в каком-л. конкурсе и т. д.)

educational attainment - уровень образования; образовательная подготовка

educational qualification - образовательный сертификат; квалификация, подтверждаемая документом о полученном образовании

grade point average (GPA) - средний балл как характеристика успеваемости учащихся, определяемая путем деления суммы оценочных баллов [honor points] на количество затраченных зачетных часов [credit hour]. Обычно буквенное обозначение оценки соответствует определенному числу баллов, например [A] = 4 баллам, [B] = 3 баллам, [C] = 2 баллам; таким образом при двух оценках [A] и одной [B] средний балл учащегося равен $(4+4+3):3 = 3,7$. Учитывается при приеме в университет или колледж

hire - 1) трудовой наем, наем труда (договор о принятии на службу для выполнения какой-л. работы на определенных условиях) 2) нанимать, предоставлять работу, приглашать на работу

job interview - собеседование [интервью] при приеме на работу

recruiter - вербовщик, специалист по подбору персонала, рекрутер, агент по найму кадров; лицо или фирма, осуществляющие подбор специалистов по заданным работодателем критериям

reference - 1) рекомендация, отзыв, рекомендательное письмо 2) лицо, дающее рекомендацию, поручитель

resume - краткая автобиография, резюме, биографическая справка (предоставляется претендентом на должность, при получении гранта или поступлении в учебное заведение; обычно пишется в обратном-хронологическом порядке)



9.2. SCANNING

Resume Writing: General Information

1. Resume is a vital part of the employment process. Although a resume should give a lot of information about you, it is necessary to determine the most important facts about you (your main selling points) and then to select and order those facts in a way that will impress your reader. Here are some general guidelines:

- remember that the primary aim is to rouse the employer's interest, not to provide a biography;
- the very first thing that a reader should see on your resume is your contact information; this includes your name, address, telephone number;
- then, outline your work and educational experience;
- make the information action-oriented and stress accomplishment; instead of listing your duties for each job, tell what you have achieved; rather than say that your "duties were to supervise cus-

tomers accounts and keep the books", say that you "supervised the customer accounts and kept the books";

- in addition, list honors and awards such as grants, scholarships, or other forms of special recognition; be sure to include the name of the honor, the granting institution, the date granted, and (if appropriate) a description of the activity;

- list any relevant technical skills you have; the section on technical skills usually includes hardware, software, and applications expertise;

- represent enough information about you for the employer to feel that you are worth interviewing

- match your skills and experience to the needs of the organization;

- stress what sets you apart from the crowd;

- be honest; a small lie in resume is enough to wipe out the employer's trust in you, even if it is discovered well after you have the job; decency is an attribute never worth sacrificing; this advice does not mean that you should write about all your faults and draw attention to errors; but you should not misinform the reader.

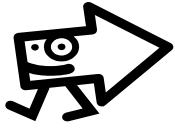
3. Here is a list of the most common resume formats:

(i) **Chronological format.** It contains work experience (history) in reverse time sequence (i.e. starting from the most recent one and going back in time). The focus is on time, job continuity, professional growth and advancement, results.

(ii) **Functional format.** It contains work experience and abilities grouped by certain spheres or areas. The focus is on what you did, not when or where.

(iii) **Creative or Alternative format.** It is good for people of arts and crafts or for people without much experience. For instance, portfolios or visual resumes are often used by people to showcase their work. They may be presented in oversized leather or plastic briefcases and contain pictures, photographs, articles, illustrations, and other creative products, and they are often accompanied by a traditional resume.

(iv) Finally, a specific form of a resume is **Curriculum Vitae** (CV). It is used mostly by those professions in which it is important to list all the credentials (accomplishments, results, publications, titles of presentations at conferences, certificates, awards, research programs, public lectures, etc.). Doctors, civil servants, university professors and others who have a long list of accomplishments will be perfect candidates for CV, which is not limited in space unlike a resume having a one-page, maximum a two-page limit.



9.3. LEXIS

selling point - довод в пользу чего-либо, наиболее выигрышный аргумент, ценное качество или свойство

guidelines - (руководящее) указание, рекомендации, инструкция

contact information – информации, необходимая для дальнейших контактов

outline - изложить вкратце, описывать

action-oriented - прикладной, практический, деятельный, ориентированный на действие

list - составлять список, перечислить

match - находить соответствие; приводить в соответствие, согласовывать; сопоставлять; подгонять, сочетать; выравнивать

set apart - отличать (от других), выделять (из числа других)

wipe out - уничтожить; истребить, ликвидировать

decency - вежливость; любезность; порядочность

attribute - признак, существенное свойство, существенная характеристика

sacrifice - приносить в жертву; жертвовать

fault - дефект, недостаток

misinform - неправильно информировать; вводить в заблуждение, дезориентировать

format - формат, формальные параметры; структура; форма

reverse time sequence - обратная хронологическая последовательность

job continuity - последовательность в выборе мест работы

professional growth and advancement - профессиональный рост и продвижение

work experience - стаж работы

portfolio – подборка, портфолио

showcase – демонстрировать, представлять

oversized - очень большого размера

briefcase – папка, портфель

accomplishment - достижение, успех

research program - программа научных исследований, научный проект



9.4. QUESTIONS

1. What are the guidelines for writing a resume?

2. What resume formats are described in the text?

3. Is resume a synonym to CV?

4. What is the difference between functional and chronological formats of a resume?

5. Is resume limited in space? How many pages should it be?



9.5. MATCH the following words with their definitions:

ability, accomplishment, advancement, award, biography, certificate, credential, CV, experience, focus, resume

- 1) a short summary or account of something; a written record of your education and the jobs you have done, that you send when you are applying for a job;
- 2) a record of a university/college teacher's education and where they have worked, also including a list of books and articles that they have published and courses that they have taught, used when they are applying for a job;
- 3) the story of a person's life, written by that person;
- 4) the knowledge and skill that you have gained through doing something for a period of time; the process of gaining this;
- 5) the qualities, training or experience that make you suitable to do something;
- 6) the thing or person that people are most interested in; the act of paying special attention to something and making people interested in it;
- 7) the process of helping something to make progress or succeed; the progress that is made;
- 8) a level of skill or intelligence; the fact that somebody is able to do something;
- 9) an official document proving that you have completed a course of study or passed an exam; a qualification obtained after a course of study or an exam;
- 10) a prize such as money, etc. for something that somebody has done;
- 11) the act or process of achieving something; a thing that somebody has done successfully, especially using their own effort and skill.



9.6. SCANNING

Five Primary Sections of Combined Resume

1. **Heading.** This section can also be named "Personal Directory", "Contact Information" or "Name and Address". Usually it is placed at the central top part of the page and consists of:

- your full name and mailing address (with full postal code);
- home phone and cell phone number (with a country or area code);
- your E-mail address;
- fax number (if you have and use it).

2. **Introduction.** An effective introduction sets the tone of your resume and connects your field of knowledge or work with the needs of your prospective employer. It answers the main questions: "What do you want to do? How can you contribute to the company where you want to work?" It can be written in the form of a Summary of Qualifications (*Profile*). The purpose of the Summary is to give your *key strengths* and areas of expertise.

3. **Employment** (Experience). This section will have the most influence on a prospective employer. The Employment section *highlights* your professional career and experience, qualifications and achievements (results) as well as the level of your responsibility.

4. You begin this section with your most *recent position* (it must have maximum space) and then move *backwards*. The following standard information should be provided for each of your present and past employer:

- name of organization;
- its location (city and region where you worked);
- dates of employment;
- *job titles* or positions which you held.

5. At the same time this section should include three pieces of *complementary* information for each job:

(i) Your main responsibilities and company-specific information. This should be in the form of a very short job description. Write only the highlights in positive words. The choice of words reflects your motivation, *energy level*, education level, and professionalism.

(ii) Your specific skills, which are necessary to perform those responsibilities. You should briefly describe your responsibilities that you used for your past responsibilities, e.g. computer skills, translation/interpretation skills, technical mastery, organizational and *problem-solving skills*, etc.

(iii) Your specific results and accomplishments which are related to your work. The focus of the Employment section is not so much what you did, but what you accomplished. Your results determine your ability to get a job. Achievements and results may vary from profession to profession. You may want to include:

- contributions that you have made;
- productivity improvements that you have contributed to;
- awards that you have received;
- expense savings that you have achieved (with concrete sums of money);
- new policies and procedures that you have introduced;
- problems that you have identified and solved.

6. Experience does not mean only the job for which you were paid. You can also include volunteer work. Students should include all volunteer and part-time jobs.

7. **Education.** Educational qualifications are most often the primary selling point. Begin with your most recent educational attainment or your advanced degree or diploma and then work backwards. Be sure to give the date you obtained any degree or diploma, along with the name of the institution that granted it. If you have limited work experience, the Education section appears at the beginning of your resume.

8. Under the Education section, you may want to include:

- GPA (grade point average) - the average of a student's marks over a period of time in the higher education system;
- extracurricular activities (working on school newspaper, volunteer work, etc.);
- jobs and activities while attending school/college/university, which are related to your career;
- scholarships;
- awards and honors;
- internships;
- special theses or dissertations;
- research projects;
- presentations made at conferences and publications.

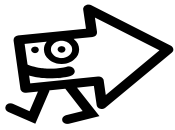
9. **Miscellaneous.** In this section, you may write (if you think it is important) about:

- military service;
- interests and hobbies;
- volunteer work;
- membership and active participation in professional associations;
- recognitions;
- languages;
- personal information (date of birth, marital status, citizenship, etc.).

10. At present, consultants on employment advise that most personal information, other than your address and phone number, is unnecessary and should be left out. However, if you think that listing some personal details will give you an advantage, by all means do so. For example, being single might be an advantage for a job requiring a lot of traveling.

11. In your resume you don't need to give the names of people who can supply references. Omit this category altogether or write: "References will be supplied on request". If you do include refer-

ences, give their full name, title, company, and address. Telephone numbers may also be helpful.



9.7. LEXIS

top part - верхняя часть

Profile - краткий биографический очерк; сведения из биографии

key strengths - главные достоинства, ключевые качества и характеристики

highlight – 1) выделять, подчеркивать, отводить главное место; выдвигать на первый план; 2) ключевой момент, важнейший аспект

recent position - последнее место работы, ранее занимаемая должность

backwards - в обратном направлении

job title - название профессии, название должности

complementary – добавочный, дополнительный

energy level - уровень активности, потенциал прилагаемых усилий

problem-solving skill - способность решать проблему, умение решать проблемы и принимать решения

advanced degree - учёная степень (выше степени бакалавра)

extracurricular activities - неаудиторная деятельность; общественные занятия студентов, включающие политическую деятельность, спорт, музыку, самодеятельность и т.п.

scholarship - 1) стипендия (в университетах и частных школах; устанавливается после сдачи соответствующих экзаменов; на руки не выдаётся; идёт в счёт платы за обучение, питание ; выплачивается из средств государственного бюджета, благотворительных фондов, отчислений частных компаний) 2) именная стипендия (студента или молодого научного работника в университете)

internship - практика, стажировка

honors - 1) отличие при сдаче экзамена 1) знаки личного достоинства; почётное звание

recognition - признание (общественное уважение)

leave out – исключать, пропустить

supplied on request - предоставляется по требованию, по запросу



9.8. QUESTIONS

1. What section of a resume contains contact information?

2. What questions must an effective resume introduction answer?

3. How should the Employment section be organized?

4. What is included into the Education section?

5. What additional information may be presented in a resume?
6. Is it advisable to expose personal information in resumes?
7. What does the phrase "References will be supplied on request" mean?
8. Why is it necessary to be honest in writing a resume?



9.9. AGREE OR DISAGREE

1. Personal Directory is usually placed at the end of the page.
2. The Employment section is composed of places of work in reverse order.
3. Person's experience covers only the job for which he or she was paid.
4. Instead of listing the duties for each job, it is preferable to outline what has been achieved.
5. It is not advisable to include into the Employment section any volunteer and part-time jobs.
6. Educational qualifications of a job applicant are highly estimated.
7. Marital status or citizenship is treated as personal information.
8. While making a resume you should always give a list of people who can supply references.



9.10. EXERCISE. Read and translate the following text:

Sample Profiles

1. A resume profile is a concise overview of your qualifications and experience. It often includes:
 - a short phrase describing your profession;
 - a statement of broad or specialized expertise;
 - two or three additional statements related to:
 - o breadth, depth, or unique combination of skills;
 - o range of environments in which you have experience;
 - o special or well-documented accomplishment; and
 - o one or more professional or appropriate personal characteristics.
 Examples:

(i) Highly motivated human resources generalist with six years of experience in recruitment, training, and employee relations. Excellent organization and communication skills. Knowledgeable in consumer products and retail industries.

(ii) Financial management executive with nearly ten years of experience in banking and international trade, finance, investments, and economic policy. Innovative skilled negotiator with strong man-

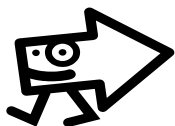
agement, sales, and marketing *background*. Expertise in mergers and acquisitions, commercial lending, and *policy analysis*.

(iii) *Resourceful* and innovative health care administrator with program development, project management, and marketing experience. Extensive background in public health, critical care, and emergency medical services. *Proven* ability to develop *quality programs* and services with limited budgets and resources.

(iv) Over ten years of public relations experience in agency and corporate environments. Strong creative and account management skills. Expertise in media relations, *event planning*, and *promotions*.

(v) Liberal arts graduate with strong research, writing, and communication abilities. Extremely organized and detail-oriented. Experience in program planning, new student orientations, and *proofreading*.

(vi) *Highly accomplished* attorney with more than 15 years of experience in insurance regulatory law and successful career characterized by *front-line positions* in top national law firms. Also experienced in banking and management.



9.11. LEXIS

concise – конспективный, краткий

overview - беглый обзор, общее представление

expertise - профессиональная компетенция, знания и

опыт

range of environments – область профессиональной деятельности

well-documented - убедительно подтверждённый документальными доказательствами

human resources generalist - работник широкого профиля по работе с персоналом

recruitment - подбор кадров, комплектование штата

knowledgeable - хорошо осведомлённый

background – подготовка, квалификация, опыт

policy analysis - анализ стратегий; анализ, проводимый в целях выбора экономической политики

resourceful - изобретательный

proven – испытанный, проверенный

quality program - программа обеспечения контроля качества

event planning - планирование и разработка мероприятий

promotion - стимулирование сбыта, содействие в продаже товара

proofreading - чтение корректуры, вычитка

highly accomplished – высоко квалифицированный и хорошо образованный

front-line position – руководящая должность, ответственный пост



9.12. EXERCISE. There are excerpts from different legal resumes. Scrutinize the examples and translate them.

PROFILE: Recent law school graduate with an MBA and strong *acumen* for *business development* and *franchise* management. Skilled negotiator, mediator and advisor. Exceptional *clinical experience* in family law, real estate law and landlord tenant law. Strong scientific and technological background.

OBJECTIVES:

- To *secure* a senior level position at a top national law firm.
- To continue to clearly and effectively *convey* successful legal advice.
- To efficiently work with a wide range of legal associates to both improve and *enhance* the law field.

EDUCATION:

Juris Doctor, Jordan University School of Law, Logan, NY (2003)

- *Cum Laude*, 3.39 GPA
- American University Law Review, Staff Member
- Best Oral Advocate, Hal Philip Walker Moot Court Competition
- Participant, Roosevelt Boxley Mock Trial Competition
- Young Attorney's Society, Founding Member
- Public Interest Law Certificate

Bachelor of Arts, University of Northern Wyoming, Buckton, WY (2000)

EXPERIENCE:

Manfreedy, Moon & Vardy

Charleston, New Hampshire

Legal Intern

Summer 2008

Legal Assistant

Summer 2007

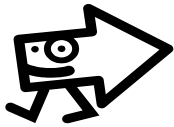
- Assisted in all aspects of trial preparation for this personal injury litigation firm.
- Wrote motions, responses, client advice letters, and memoranda.
- Investigated plaintiffs' backgrounds; conducted extensive legal research and responded to *discovery*.
- Filed responses, motions, and briefs at courthouse; attended settlement negotiations and observed trial.
- Proofread attorney briefs and *motions*.
- Assisted in preparing for *deposition*, including interviewing an expert witness.
- *Cross-checked* depositions for inconsistencies; consulted with senior partner as to questionable deposition testimony that might be relevant in trial or in future deposing of other witnesses.
- Implemented a new *filing system*, which resulted in easier *access* and increased office *efficiency*.

PROFESSIONAL AFFILIATIONS:

- Member of the Bar, State of Virginia, 1994
- Member of UVA National Law Review Board
- Contributor to the National Law Review
- Contributor to the East Coast Law Review

VOLUNTEER WORK:

- New Jersey Green Party (various campaigns)
- United Federation of Delaware
- Income Tax Relief Assistance Organization, Washington, DC.



9.13. LEXIS

асумен - деловая хватка, сообразительность, проницательность

business development - работа с потенциальными клиентами, коммерческое развитие

franchise - право на производство и продажу продукции другой компании, франшиза

clinical experience – опыт предоставления юридической помощи во время прохождения практики

secure – добиваться, получать

convey – предлагать, сообщать

enhance – совершенствовать, обогащать

Cum Laude - с отличием (о дипломе)

discovery - представление документов (суду)

motion – ходатайство, запрос

deposition - письменные показания под присягой

access – доступ, право доступа

cross-check - осуществлять перекрёстный контроль, участвовать в проведении взаимной проверки

filing system - система регистрации документов

efficiency – эффективность, производительность

National Law Review - юридическое обозрение

Board – правление, редакционная коллегия

Income Tax Relief Assistance – консультирование по вопросам освобождения от уплаты подоходного налога

contributor – сотрудник, автор статей



9.14. SCANNING



The 5 "P"s of Resume Writing

The letter "P" here means "power". So the 5 "P"s means five points that make your resume powerful.

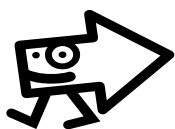
1. **Packaging** is a vital component to sales success. For most people packaging is very important when buying something. And if the packaging is even slightly broken, they wouldn't think of purchasing it. Paper stocks, graphics, desktop publishing and imaginative presentations are part of the packaging process. Make your resume professional in terms of packaging, so that it would "professionally" stand out from the crowd.

2. **Positioning of information** means organization. Organize the data on your resume so that it's easily accessible to the reader and the reader is able to quickly grasp significant information.

3. **Punch and power information**. This "P" is by far the most important. Punch here means effective strike. With punch and power you deliver the information that the hiring manager wants to see. "Power Info" is the information that matches your skills, abilities, and qualifications to a prospective employee's needs. In other words, Punch and Power Information shows the prospective employer that you meet the criteria for hire.

4. **Personality**. Your personality means a lot for hiring managers. They want to hire people with pleasing personalities. Your resume can have its own personality, too. When writing your resume, remember: words are power. Choose elegant vocabulary. Change neutral and dull words to eye-catching and bright ones. For example, instead of writing that you were "responsible for ...", show that you were "a catalyst for major improvements in ..."

5. **Professionalism** in presenting your resume is important because you want to make a good, lasting, and professional first impression. Remember: you are the "product" and you are the "salesperson". Your resume is your advertising brochure. Be aware: would you hire yourself based on the professionalism of your resume?



9.15. LEXIS

packaging - упаковка; компоновка, конструктивное оформление

paper stocks - виды, качество бумаги

desktop publishing - подготовка публикаций с использованием настольных редакционно-издательских средств

stand out from the crowd - выделяться из общей массы, быть лучшим из всех

positioning of information - правильное размещение информации

accessible - удобный; доступный; понятный

grasp - понять, схватить (основную идею); осознать, усвоить; постичь

punch and power information - ударная, эффективная подача наиболее значимой информации

personality - личные свойства и особенности характера, определяющие личность

pleasing – приятный, нравящийся, привлекательный

elegant - изысканно-изящный, строгого художественного вкуса

eye-catching - привлекательный, привлекающий (притягивающий, останавливающий) внимание, бросающийся в глаза, бросакий

catalyst - инициатор, катализатор, ускоритель процесса

advertising brochure - рекламный буклет



9.16. QUESTIONS

1. What 5 "P"s will make a resume powerful?
2. What techniques can make a resume professional in the terms of packaging?
3. What is "power info" according to the text?
4. What words should be used in order to draw up a resume with its own personality?
5. What does it mean: a job applicant is both the "product" and the "salesperson"?



9.17. MATCH the following words with their definitions:

effective, eye-catching, hiring, imaginative, impression, information, packaging, positioning, powerful, prospective, significant, vital

- 1) an idea, a feeling or an opinion that you get about somebody/something, or that somebody/something gives you;
- 2) expected to do something or to become something;
- 3) facts or details about somebody/something;
- 4) giving somebody a job;
- 5) having great power or force; very effective; having a strong effect on your mind or body;
- 6) having or showing new and exciting ideas;
- 7) immediately noticeable because it is particularly interesting, bright or attractive;
- 8) large or important enough to have an effect or to be noticed; having a particular meaning;
- 9) necessary or essential in order for something to succeed or exist; connected with or necessary for staying alive;
- 10) producing the result that is wanted or intended; producing a successful result;
- 11) putting somebody/something in a particular order;
- 12) the process of wrapping goods.



9.18. READ AND TRANSLATE the following Reference guidelines:

- Emphasize your references' names with ***boldface letters***. You may even want to ***bold*** both their name and ***position***.

This especially applies if your reference person is well-known or holds a powerful and highly respected position. You can do this with either bold letters, ***caps***, ***italics***, or underlining.

- You may also consider centering all your references and perhaps ***setting each off*** with a ***bullet*** between them.
- Use the same paper stock (color and quality) as your resume.
- Do not enclose your reference sheet with your resume - bring it with you to the interview.
- Again, be sure your letterhead (contact information) appears on your Reference List. This way, if your ***Reference List*** becomes separated from your resume, your employer will still know whose contacts these are.

Following is a Sample Reference:

ANDRE WALKER

1212 Sutton Drive
Mountain Top, NY 90000
(555) 882-8789

Tim O'Conner

Vice President Computer Operations
MacGraphics International
1334 Old Ridge Road
Wilton, OH 90000
(555) 897-0098

•

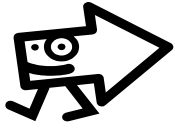
Ms. Yun-Ming Lee

Executive Vice President
Sealico Steel & Metal
700 Sparrow Lane
Tiger Creek, AK 90000
(555) 877-8768

•

Yolanda Haskins

Creative Director
Mountain Top Advertising
987 Winchester Plaza
Suite 865
Mountain Top, NY 90000
(555) 897-8700



9.19. LEXIS

boldface letter - буква, набранная жирным шрифтом

bold - выделять жирным шрифтом

position – должность, общественное положение

caps = capital letters - заглавные буквы, буквы в верхнем регистре

italics - курсивный шрифт

set off – разделять, проводить разделительную линию, выделять

bullet - жирная метка, символ в виде точки

reference list – список лиц, способных дать рекомендацию



9.20. EXERCISE. Draw up a legal resume using the following form.

Resume Form

Heading

- o Full name
- o Address details:

House number/name:	Street:	Town:
Region:	Post code:	Country:
Tel no: (including code)	Mobile No:	Email:

Profile

- o Explain the purpose of writing the resume:

Knowledge and Skills

- o Describe any specialist knowledge you have:
- o Describe your skills and abilities:

Work History (put on the list current/most recent jobs first)

- o Job title and company/org name:
- o Dates: from:, to:
- o Short summary of job/role:
- o Main elements/responsibilities/duties:
- o Skills used:
- o Achievements:

Education

School/college/university attended: (with location)	Year started:	Year left:	Type of qualification:
1			
2 ... and so on			

Outside activities including sporting and other achievements

Title:	Organisation name:
Date from:	Date to:

- Short summary of the job/responsibilities/duties, skills needed, achievements and number of people managed (if applicable)

Other information

- Describe your personal qualities:
- Describe your hobbies and other interests:
- Any other information you would like to add:
- Languages:
- Describe any computer skills:

References

- Please give the names, addresses and phone numbers of any references you may wish to refer to on your resume:



9.21. SCANNING



Cover Letters

Every time you send out a resume, you must include a customized cover letter. To skip this part of the process is to label yourself as lazy, uncaring, and unprofessional.

A cover letter has many goals and purposes:

- to introduce you to future employers;
- to ensure that your resume makes it into the right hands;
- to showcase your writing skills;
- to present your qualifications;
- to sell yourself;
- to make a good first impression;
- to demonstrate your professionalism.

Rules of the cover-letter-writing:

1. Invest in high-quality paper and envelopes (ideally, they'll match the stock of your resume) as well as a good printer.

2. Address your letter to a specific person by name and title. Double-check to make sure that you are spelling their name and title correctly.

3. Make sure that your letter is grammatically perfect and error free.

4. Personalize your communication by writing it in your own words. You never want your letter to sound as if someone else had written it.

5. Use the first paragraph to introduce yourself. Tell the reader why you are writing and how you heard about them.

6. Show that you know something about the company and the business. This is where your research comes in. Don't go overboard - just make it clear that you didn't pick this company out of the

phone book. You know who they are and what they do and you have chosen them.

7. Use terms, phrases, and keywords that are meaningful to the employer.

8. Identify those qualifications and accomplishments that are most relevant to the employer's needs and build the body of the letter around a discussion of your qualifications and experience as they pertain to the company's needs.

9. If you have relevant experience or accomplishments that are not listed on your resume, be sure to include them in your cover letter.

10. Always *refer the reader* to your resume for further information and encourage them to contact you as well.

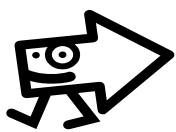
11. When e-mailing your cover letter, *brevity* is even more important. The nature of e-mail calls for concise communication, in part because it's harder to read on-screen than on paper. You should be able to write a convincing cover letter in a few brief paragraphs.

12. Never mention money unless specifically asked - and then provide as few details as possible. Instead, tell the hiring manager that you would be happy to discuss your *salary history* and requirements during the interview.

13. Always include current contact information, even if that information has already been included on your resume. Sometimes the resumes and cover letters get separated from each other.

14. Let the reader know (politely) what you would like to happen next - for example, you would like them to call you in for an interview or you would like to send them your portfolio.

15. *Sign off* with a traditional ending, such as "Yours truly", "Truly yours", or "Sincerely". *Save* your "Ciaos", "Adioses", and "Later, Dudes" for your family and friends.



9.22. LEXIS

customized – специально приготовленный, индивидуальный

skip – обходить, пропускать, игнорировать

label – характеризовать, обозначать

uncaring – беззаботный, небрежный

make it into - попасть

showcase - демонстрировать

invest in – закупить, не скупиться

match – соответствовать, сочетаться

stock – материал, содержимое, содержание

double-check - перепроверять

go overboard – идти напролом
refer the reader - отсылать читателя, ссылаться
brevity – лаконичность, краткость
salary history – зарплата на предыдущем месте работы
sign off – завершать, оканчивать
save for - приберегать



9.23. QUESTIONS

1. Why is it necessary to compose "a customized cover letter" while sending out a resume?
2. What functions does a cover letter serve?
3. Which of the above mentioned rules deal with the layout of a cover letter?
4. How can you personalize your cover letter?
5. What is special with the on-line version of a cover letter?
6. Why is it advisable to include your contact information not only into the resume but also into your cover letter?



9.24. EXERCISE.

1. Read and translate the following Sample Cover Letter.
2. Does this letter meet the rules given in the previous text? Prove it.

Samuel Smith
655 West Irving Park
Any Town, Any State 00087
Telephone: (414) 679-0743

September 15, 2009

Mr. John Doe, Director of Human Resources
Any Company Intl.
111 North Any Street
Any City, State 99976

Dear Mr. Doe:

I am interested in responding to your September 14, 2009 advertisement in the Sun-Times for a Pharmaceutical Sales Representative.

Your ad indicates that you are looking for a self-motivated and highly energetic college graduate with good communication skills and an interest in science. As you can see from the enclosed resume, I graduated from the University of Pennsylvania in June 2009 with a bachelor's degree in biology and a GPA of 3.5/4.0 in my major.

Throughout my college career, I worked in retail sales positions in order to support myself and pay for my college tuition. As an assistant sales manager at The

Gap, I consistently met and exceeded my sales goals and was often recruited to train new sales associates. As one young customer commented, "I wish all of the salespeople here were more like you. You are always so helpful!"

At this point in my career, I would like to combine my acumen for sales with my scientific interest and knowledge. I am aware that your company has many outstanding products in the pharmaceutical industry and I am confident that I could represent your organization effectively.

Thank you for your time and consideration. I look forward to hearing from you.

Sincerely,

Samuel Smith

Samuel Smith

Enclosure



9.25. SCANNING

Job Interview

1. An interview - like any other form of communication - involves a face-to-face *interaction*. The job interview is the most important *rung on your career ladder*. While it is your resume and cover letter that *get you* the interview, it is the interview that *ultimately* gets you the job. A major objective of the interview is to *unmask* your true personality and ability to work with others. Many other candidates will also be interviewed and the final outcome could very well depend upon how well you outperform the competition. How you present yourself and the image you project will be crucial factors in getting the job you want.

2. **What an Employer Looks For.** Two basic questions will *loom large* in the employer's mind: First and foremost, do you have the skills and experience required for the job? Second, are you the type of person the company wants to employ? By type of person, the employer looks for two qualities. First, what is your sense of business ethics - are you honest? will you *put in* a full day's work? or will you frequently *call in sick*? will you leave after two months? and so on. The second consideration is image - do you *project the right image*? In other words, will you *fit in* with your fellow workers, *get along with* the employer, and be enthusiastic about the company and your job?

The employer uses the interview to get a total picture of you and to judge how well you will fit into the company. Questions are *geared* to the following:

3. **Substantiate Your Resume.** You claim you have the skills required, now prove it! The interviewer will probe and ask questions

to verify that your resume is not exaggerated or inflated. You may be asked detailed technical questions, or how you might handle a specific problem that would be part of your job. You will be asked to expand on statements in your resume and to give concrete examples. Questions about your education may also be raised. In short, be prepared to talk about what you wrote in your resume and be ready to *furnish details*.

4. **“Check Out” Your Personality.** You will be asked questions about past employers and how well you got along with them, why you left your last job, and how you handle stress. The object is to determine that you are hardworking, ethical, and able to get along with others.

5. **Assess Your Value and Determine Your Salary.** The employer wants to be certain that your contributions to the organization will be greater than the cost of hiring you. Although you should never *bring up the question* of salary (especially on a first interview), be prepared to negotiate it if the employer brings up the issue. Know the accepted salary range for your position before going into the interview. Be sure to clarify the benefits, vacation time, and working conditions, if the issues are brought up. Unfortunately, in today’s market, accepting a lower salary is sometimes a *major factor* in your getting the job. Decide on the lowest acceptable salary you are willing to.

6. Below are some tips for passing a face-to-face interview with recruiters:

- Prior to speaking to a recruiter, have a *well thought* description of your *background*.

- When the recruiter asks you what you want to do, be well prepared and don't say anything like "I don't really know."

- It's important to develop mutual understanding with the recruiter and thank him/her for the services.

- Don't be shy about asking recruiters what you should expect while working with them.

- Be aware that many interviewers *deliberately* ask unusual questions just to see your reaction. Here are some really personal, *weird* and, in some cases, illegal questions. In case you are confronted by one of these questions, our advice is to do one of the following: say "no comment"; or, *run off* as fast as you can.

- How many *sick days* did you take last year?

- Have you been *diagnosed* with any mental illnesses?

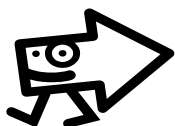
- Are you planning to have any children?

- Are you pregnant?

- Who did you vote for in the last election?

- Do you belong to a political party?

- What religion are you?
- Do you take any drugs?
- Have you ever been an alcoholic?
- Have you ever plotted the destruction of this government or country?



9.26. LEXIS

interaction - взаимодействие

rung on career ladder - ступенька карьерной лестницы

get you – предоставит вам, даст вам возможность,

обеспечит вам, позволит вам добиться

ultimately - в конечном счёте

unmask – обнаруживать, проявлять

loom large – заботить больше всего

put in – исполнять, проводить время

call in sick - сообщить по телефону о невыходе на работу из-за болезни

project the right image – оказывать нужное впечатление, создавать требуемый образ

fit in – соответствовать, вписываться в

get along with - быть в хороших отношениях, уживаться с кем-либо

gear - направлять по заранее намеченному плану

substantiate – конкретизировать, подтверждать

furnish details - предоставить подробности, подробно описывать

check out – фиксировать, провести подсчет, обобщить

bring up the question - поднимать в качестве самого важного вопроса

major factor – ведущий, основной фактор

well thought – продуманный, обоснованный

background - биографические данные (все, что связано с жизнью, происхождением, образованием, связями и т. п. человека)

deliberately - сознательно, осознанно, обдуманно

weird - странный, непонятный; причудливый

run off – убежать, удирать, сбежать

sick day - день отпуска по болезни

diagnose - распознавать; устанавливать, констатировать, обнаруживать, выявлять

plot the destruction - организовывать заговор с целью разрушения, уничтожения чего-либо



9.27. PREPARE a list of five-seven questions of your own to ask about the text above. Be ready to interview the students in your group.



9.28. SCANNING

Common Mistakes of Interviewees

1. If you want to know how not to make a mess of your job interview read about these common mistakes you should not make.

2. **Being late** – it is important you arrive at the interview 20-30 minutes early. Obviously, being late sends a negative message about you to the interviewer. Don't expect the interviewer will be sympathetic to delays caused by traffic congestion or an unexpected traffic accident. They expect you will allow for those eventualities, just like they do.

3. **Not knowing the basics** – you will be asked about why you want to join the company and you should have a sensible answer ready. Your new company will like to feel chosen by you – and they will want to employ a prepared and organized person. Thus you should know all you can find out about the company you hope to work for. Family and friends are sometimes sources of information about the company you seek for employment. But don't rely on hearsay, try to talk to someone in the company about the requirement and expectations of the job you seek. And utilize more than one source of comments about the company you are considering.

4. **Being unprepared** – have a pen, notepad and extra copy of your resume and references with you. Know the job specification off by heart. Make notes of questions you want to ask that relate to the job and company. Put those items in a place that will be easy for you to get to when you need them in the interview. If you currently use a daily/weekly planner, bring that with you too.

5. **Forgetting that your interviewer is the expert** – pretending you know more than you do is a great way to blow an interview. Be yourself, don't say you know something you have no idea about – you can be sure that your interviewer knows the answer because they work in that environment all the time.

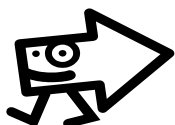
6. **Not dressing the part** – first impressions count, if you are interviewing at a bank, for goodness sake wear a suit and if you are hoping to enter marketing, dress design, etc. – then dress appropriately. Your interviewer will understand that you might not have enough money to own an expensive suit, but there is no excuse for shabby and unclean clothes. Don't forget about your haircut and shoes!

7. **Not being enthusiastic** – no one wants to employ someone who appears bored, inattentive and answers all questions curtly. Maintain eye contact, greet the interviewer with a smile, offer a firm

handshake and say something friendly, like: “Good morning, pleasure to meet you, and thank you for the opportunity to visit with you today.” Don't be afraid to display your passion for the job and industry. Answer questions as fully as you can and be confident.

8. **Not listening** - focus on the question that is being asked and don't try to anticipate the next one. It's acceptable to pause and collect your thoughts before answering a question. If you don't understand the question, then ask for clarification by saying “my understanding is...” Pay special attention to technical or work related questions that are related to the job specification.

9. **Being impolite** – remember your interviewer maybe your future boss! Don't sit down until asked, ask to take off your jacket if hot, say thank you to offers of refreshment, etc. Express your interest towards the job you are interested in and thank them for their time. Show common courtesy through the whole interview. Even if you end up not being interested in the job anymore, you can never know if that person can't become a great contact person for you.



9.29. LEXIS

interviewee – интервьюируемый; лицо, дающее интервью

make a mess - испортить, провалить (дело), напутать

traffic congestion - затор; дорожная пробка

allow for - предусматривать; учитывать; принимать во внимание

eventuality - непредвиденное обстоятельство

sensible - здравый, осмысленный

hearsay - молва, слух, толки

notepad - блокнот

job specification - квалификационные требования к исполнителю определенной работы

off by heart - заученный до автоматизма, "отскакивающий от зубов"

blow an interview - завести беседу в тупик

dress the part - одеться соответствующим образом, быть одетым так же как и другие, выглядеть соответственно

count - принимать во внимание, учитывать

dress design - одеваться модно; носить модельную одежду, обувь

shabby - поношенный; потрепанный, протертый

bored - скучающий

inattentive - невнимательный, небрежный

curtly - отрывисто-грубо (об ответе, реплике)

eye contact - зрительный контакт, тесное общение, близкое общение

firm handshake - крепкое рукопожатие

passion - страстное увлечение

anticipate - предвосхищать, предугадывать, предупреждать

acceptable - приемлемый; допустимый

refreshment - освежающий напиток

courtesy - учтивость, обходительность, вежливость, любезность;
правила вежливости, этикет

great contact person – человек, знакомство с которым имеет особую ценность (в профессиональной сфере)



9.30. MATCH the following words with their definitions:

candidate, comment, contact person, expectation, handshake, interaction, interview, recruiter, reference, specification, tip

- 1) a detailed description of how something is, or should be, designed or made;
- 2) a formal meeting at which somebody is asked questions to see if they are suitable for a particular job, or for a course of study at a college, university, etc.;
- 3) a letter written by somebody who knows you, giving information about your character and abilities, especially to a new employer; a person who agrees to write a reference, for you, for example when you are applying for a job;
- 4) a person that you know, especially somebody who can be helpful to you in your work;
- 5) a person who is trying to be elected or is applying for a job;
- 6) a person whose job is to find new people to join a company, an organization, etc.;
- 7) a strong belief about the way something should happen or how somebody should behave;
- 8) an act of shaking somebody's hand with your own, used especially to say hello or goodbye or when you have made an agreement;
- 9) communication with somebody, especially while you work, play or spend time with them;
- 10) small piece of advice about something practical;
- 11) something that you say or write which gives an opinion on or explains somebody/something.



9.31. SCANNING

Frequently Asked Interview Questions

1. Describe a typical working day.

Do your research and know the skills that are required for the job you are interviewing for. Construct your answer to emphasize those skills in describing your typical day. Paint a picture of yourself

as a hard worker, a problem solver, and one who is enthusiastic. For example, if the job you are seeking requires accuracy in report writing, you might say: “I spend a great part of my day writing reports. I put in much effort checking and double-checking. I always want to be 100% positive everything is accurate.”

2. What can you do for us that other candidates cannot?

Stress the benefits you can offer to the employer, your qualifications and ability to save the employer money. Be sure to stress some of your marketable personality traits, such as being a team player and quick learner, and having strong communication skills. Stress your loyalty and dedication and desire to stick with one company for the duration of your career.

3. How would you describe your personality?

Again, stress the positive. Describe the self-management skills you possess that would be most desired for your job, such as an ability to be a team player, an eye for accuracy, an ability to maximize time, and your honesty and integrity.

4. Tell me about yourself. What are your greatest strengths?

This is not a biographical question. Your answer should stress your skills and abilities. Such as, “I’m a hard worker.” “I’m a person with a good eye for detail.” “I enjoy a job that lets me use my talents.” You may want to emphasize some of the major projects you worked on and the success you have had. You may choose to talk about how you put yourself through school by working. Regardless, everything you tell about yourself should pertain to the job at hand and project a professional image.

5. Do you work better alone or in a group?

Here again, your research and understanding the nature of the job at hand is crucial. If the job you are interviewing for requires working in a team, then obviously the answer to this question is working in a group. The employer is looking for you to assure him or her that you are a team player.

6. What is your major weakness?

Don’t be foolish enough to say you don’t have any. Everyone has weaknesses. The idea is to mention one weak spot you are working at straightening. “I used to take on too many projects at once. Recently I attended a seminar on time management and I’ve found myself being more productive than ever.” Or you may mention a weakness that can be viewed in a positive light. For example: “I’m a workaholic and a perfectionist. I don’t rest until the job is done as best as I can possibly do.” These types of weaknesses are actually pluses in the eyes of the employer.

7. what do you think of your previous boss?

Never be critical. Never complain. Doing so will tag you as trouble. Be positive and say something such as: “I respect my former boss and learned a lot from him. I am seeking other employment because the opportunities for growth at my former company are limited.”

8. where do you see yourself five years from now?

The employer wants to be certain your plans do not include leaving him after being trained. Emphasize your desire to be part of a winning team and to stick with them. You may say, “I plan to be here, advancing my career, and making satisfying accomplishments.”

9. Tell me about your education. what subjects did you excel in?

Stress those subjects and areas of study that directly pertain to the job at hand. Mention stories and projects that demonstrate you are a person with drive and motivation, one who takes initiative and gets the job done right.

10. what do you like to do in your spare time?

Mention activities that supplement and enhance your career goals. Examples are attending workshops and reading trade magazines. You may want to include activities that show you care about your health and well-being, such as exercise and fitness classes. Steer away from anything political or controversial.

11. How much money do you want to make?

Never give a specific figure. You may price yourself out of the job or, worse yet, you may undersell yourself. Answer with a general range: “Between \$25,000 and \$30,000 rubles.” Or, you may want to ask outright, “What does the job pay?” After hearing the employer’s answer, you can add that the pay is within the range or ball-park figure you had in mind.

Questions You Should Ask

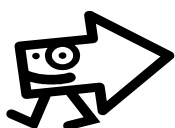
12. At the end of the interview, you may be asked if you have any questions. Even if you are not asked directly, you should interject, “Do you mind if I ask a few questions?” Asking questions shows that you are genuinely interested in the position.

13. However, you will be judged by your questions. So don’t talk about salary and promotions. The interviewer may get a negative message that you are interested mainly in the paycheck. Also, do not ask what the organization or department does. A question like this shows you haven’t cared enough about the interview to find out.

14. Ask questions about the job. Not only will this display your interest, but will also supply you with the information you will need to help you decide if the job is right for you.

15. Questions you may want to ask are:

- To whom will I report?
- Is this a new position or will I be replacing someone?
- What happened to the last person who held this position?
- How many people have held this position in the last five years?
- What would be your highest priority for me to accomplish if you hired me?



9.32. LEXIS

problem solver – специалист, способный успешно решать проблемы

enthusiastic – увлечённый, полный энергии и энтузи-

азма

double-checking – перепроверка, неоднократный контроль

100% positive – уверенный на сто процентов

maximize time – оптимизировать использование времени

integrity – работоспособность, надёжность, добросовестность

with a good eye for detail – уделяющий внимание деталям, внимательный

put through school – пройти школьные испытания

the job at hand – предполагаемая вакансия, рассматриваемое место работы

major weakness - основной недостаток

don't be foolish enough – не будьте настолько самонадеянным, чтобы

weak spot you are working at straightening - недостаток, который вы стараетесь исправить

workaholic and perfectionist - одержимый работой и добивающийся во всем совершенства человек

stick with – примкнуть к, стать частью

complain - выражать недовольство, сетовать, плакаться

tag as trouble – характеризовать как проблемного человека, навешивать ярлык неуживчивого человека

former boss - бывший руководитель

attend workshops - посещать практические семинары

health and well-being - здоровье и хорошее самочувствие

price oneself out of the job – завышать требование по зарплате

undersell – недооценивать, требовать заниженную плату

general range – общие рамки, предполагаемый пределы

outright – напрямик. прямо, открыто

ball-park figure - примерная цифра

have in mind - иметь в виду, подразумевать
interject - замечать вскользь, вставлять вопрос
genuinely – искренне, в самом деле



9.33. EXERCISE. Below you will find some of the most popular questions asked by interviewers in the legal profession. Most questions are relevant to all types of legal firm:

The Top Interview Questions for Lawyers

1. Which subject did you specialize in at law school?
2. Which subjects did you enjoy during your qualifying degree?
3. In your view, what are the major problems/opportunities facing the legal industry?
4. What is your alternative career, should law not be the avenue for you?
5. Have you ever attended a court hearing or employment tribunal? What was the outcome?
6. What views do you hold on private client fees?
7. What sort of employment background do you have?
8. How long were you at your last job?
9. Why did you leave your last job?
10. What was your last salary?
11. Describe your ideal work environment?
12. Describe your worst work environment?
13. On taking this job, what would be your major contribution?
14. What will be your key target in this job if we appoint you?
15. What support training would you require to be able to do this job?
16. Are you willing to do after-hour work?
17. What makes you think you can be successful with us?
18. What sort of salary are you expecting?
19. If offered the position, how long do you plan to stay at this company?
20. Would your social life infringe on your work commitment? If so, how? Explain.
21. What sort of activities are you interested in outside of work?
22. Are you a member of any clubs or charities?
23. Are you a socializing person? What is your work/life balance?
24. What would your peers say about you?
25. Do you like to work in a team or on your own?
26. How do you react if you find that someone you work with does not like you?



9.34. SCANNING

Thank-You Letters

1. *Say* that all your hard work, your customized cover letter and *tailored* resume, has led you to a meeting with an employer. Your research into the company and your own background helped you have a *smooth and convincing* interview. Or maybe the interview *went pretty well*, but there were a few points you wish you had made differently.

2. The thank-you letter is another tool you can use to add *extra oomph* to your *candidacy*. *Short and sweet*, this note shows *gratitude* for the time the employer has taken to review your qualifications, and it's an opportunity to demonstrate (again) that you *are clearer than ever in your understanding* of the fit between the position and your qualifications and goals.

3. The thank-you letter has a *bonus function*, too: It gives you a final opportunity to address any weakness or *clarify any misunderstanding* that may have occurred in the interview process. The sample thank-you letters we've included mention *specifics* of the meeting, shows appreciation, and reminds the employer of the candidate's strengths.

4. **LETTER 1:** After an *Informational Interview*.

It is important to send thank-you letters to everyone who helps you in your job search, including friends or *acquaintances* that give you *leads*. However, it is crucial to your job search to send a thank-you letter to someone who has *granted* you an informational interview. People can be so impressed by this *gesture* they may even work harder to find you more contacts or *intervene on your behalf*.

DASHEL JOHNSON
1212 SUTTON LANE
FARTHINGTON, PA 90000
(555) 979-8777

April 3, 2008

Anthony Tommasi
Vice President of Sales
Lesser & Lesser, Inc.
900 West Corvina Parkway
Marshalltown, IN 90000

Dear Anthony,

I want to thank you for taking time from your busy schedule to meet with me last Tuesday. Your advice was quite helpful and as a result, I am reworking my resume to include many of your suggestions. I will send you a copy next week.

I very much appreciate the leads you gave me and have already set up a meeting with Milton Becker for next Friday. Please keep me in mind if you hear of any other openings.

I wish you continued success and hope I will have the opportunity of meeting you again.

Sincerely,

Dashel Johnson

5. **LETTER 2:** After a Job Interview.

When an employer expresses interest and takes time to give you a job interview, it is imperative that you send a follow-up thank-you letter. This common courtesy can sometimes be the factor that turns an employer's indecision in your favor. You would be surprised how many people remember a small consideration such as a thank-you letter. Sometimes, even after a rejection, if a thank-you letter is sent, the employer may consider the applicant for another job.

SUSAN CHEN
1212 OTTER DRIVE
SMITHTON, NY 90000
(555) 889-8789

June 23, 2008

Michelle Irani
Process Engineer
Sealico Steel & Metal
700 Sparrow Lane
Tiger Creek, AK 90000

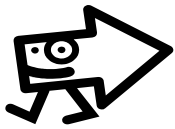
Dear Michelle,

I want to express my sincere appreciation for the interview on June 18th. The opportunity to meet you and become acquainted first hand with the fine work you and your team have been doing, has strengthened my interest in working for Sealico.

I think your plan to implement a quality control checklist is excellent. I feel this is an area that I can be of great assistance to you. I am confident that my experience in setting up such a program will add to Sealico's efficiency and save you money.

Sealico is a dynamic and growing organization, and I would love to be part of your team. I hope I am extended the opportunity to prove that I can make an effective contribution.

Sincerely,
Susan Chen



9.35. LEXIS

say – допустим

tailored – индивидуально оформленный, специально сделанный

smooth and convincing – безошибочный и убедительный

go pretty well – проходить вполне удачно

extra oomph - дополнительная внешняя привлекательность

candidacy - кандидатура

short and sweet - краткий и выразительный

gratitude – благодарность, признательность

be clearer than ever in understanding – ещё более утвердиться в своем желании

bonus function – дополнительное преимущество

clarify misunderstanding - пояснять по поводу недопонимания или недоразумения

specifics - подробности

informational interview – ознакомительное собеседование; встреча с целью получить консультацию или дополнительную информацию

acquaintance – знакомый (человек)

lead – намёк, подсказка. направление поиска, первичная информация

grant – предоставить, согласиться (на)

gesture – поступок, жест

intervene on one's behalf – выступать посредником в чьих-либо интересах, заступаться за кого-либо

keep in mind - иметь в виду, помнить

opening - вакансия

take time – выделять время

follow-up – последующий, дополнительный, ожидаемый в дальнейшем

indecision – нерешительность, неуверенность

consideration – уважение, вознаграждение

consider – рассматривать, учитывать, принимать во внимание

first hand – непосредственно, лично

be extended the opportunity – сохранить возможность



9.36. QUESTIONS

1. What objectives do thank-you letters meet?
2. What bonus function does a thank-you letter have?
3. What is typical content of thank-you letters?
4. What feature of human nature underlies the expediency of writing thank-you letters to everyone who helps you in your job search?

9.37. KEY WORDS

applicant	packaging
apply for the job	personality
background	portfolio
candidate	position
cover letter	positioning of information
credentials	Power Info
Curriculum Vitae (CV)	Profile
experience	recruiter
grade point average (GPA)	reference list
highlights	reference person
honours	resume
job interview	resume formats
job opening	resume sections
job specification	thank-you letter

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. . .

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Шестой семестр

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