

English for Lawyers 1

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G10, room 6/I, Tue 14:15–15:15

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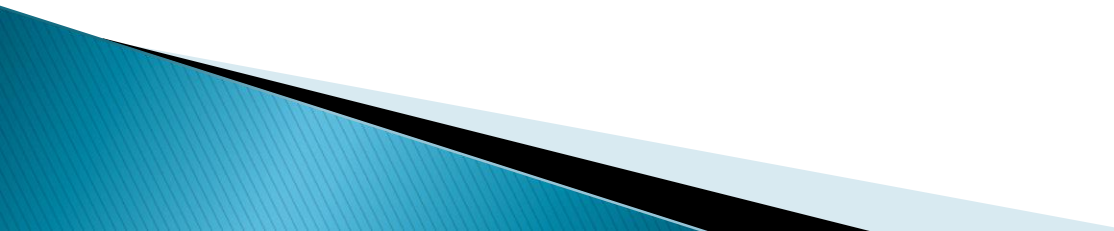
Session 6, 9 Nov 2018

Branches of Law




(cont.)

Branches of Law

1. Explain the differences between:
 - a. international, national and supranational law
 - b. substantive and procedural law
 - c. private and public law
 2. Translate them into Croatian.
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Branches of Law

3. What do the following branches of law concern:
 - a. constitutional law
 - b. administrative law
 - c. family law
 - d. employment law
 - e. tort law
 - f. law of succession
 - g. company law

 4. Translate them into Croatian.
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Civil vs. Criminal Law

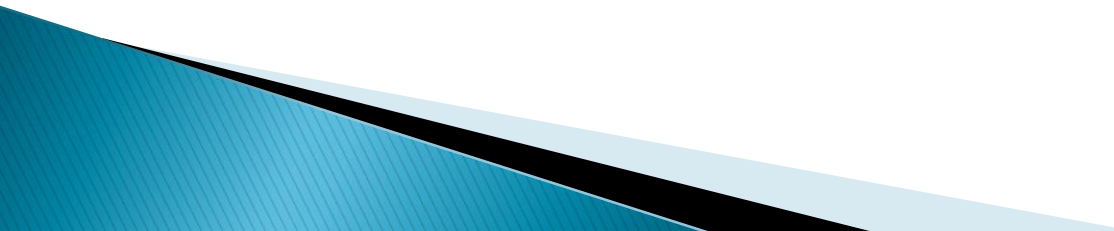


Unit 2

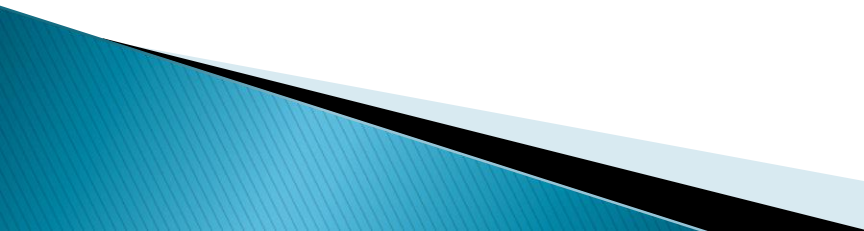
Remember the difference!

1. CRIMINAL LAW

2. CIVIL LAW

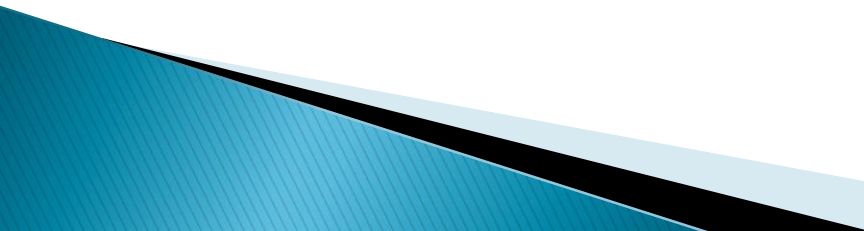
- ▶ 1: involves the prosecution of and punishment for crimes by the state
 - ▶ 2: non-criminal law, deals with disputes between individuals and regulates other areas of life not involving the state
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Civil vs. criminal law

- ▶ Read about the principal procedural differences between civil and criminal law (pp. 20 and 21)
 - ▶ Sort relevant terms into three columns:
 - civil
 - criminal
 - civil and criminal (both)
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Civil vs. criminal law

- ▶ CIVIL: claim, claimant, sue, order/award of damages;
 - ▶ CRIMINAL: criminal offence, prosecute, offender, punish, prosecutor, accused, plead guilty, jury, verdict, pass a sentence, imprisonment, acquit;
 - ▶ BOTH: wrongdoer, settle, defendant, case, judge, enter judgment, trial, take action

 - ▶ CIVIL ALSO: liability, find for the claimant/defendant
 - ▶ CRIMINAL ALSO: convict
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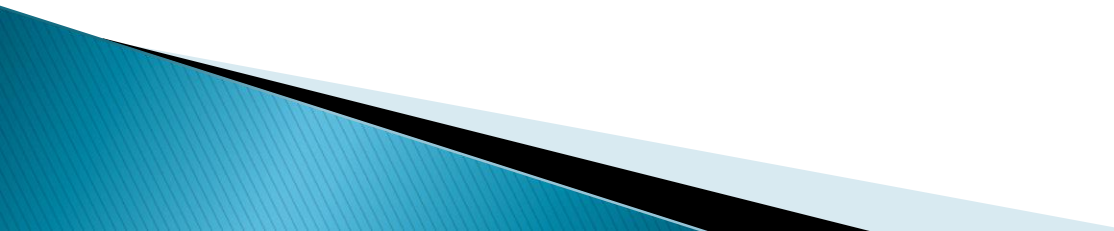
Terminology of civil and criminal law

CRIMINAL LAW

- ▶ criminal offence
 - ▶ prosecution by the state
 - ▶ the accused pleads guilty/not guilty
 - ▶ reaching a verdict (decision on guilt)
 - ▶ conviction or acquittal
 - ▶ passing a sentence (punishment)
 - ▶ fine or imprisonment
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- ▶ Translate the terms into Croatian!

Terminology of civil and criminal law

CRIMINAL LAW

- ▶ criminal offence – kazнено djelo
 - ▶ prosecution by the state – kazneni progon od strane države
 - ▶ the accused pleads guilty/not guilty – okrivljenik se izjašnjava krivim/poriče krivnju
 - ▶ reaching a verdict (decision on guilt) – odlučivanje o krivnji
 - ▶ conviction or acquittal – osuđujuća ili oslobađajuća presuda
 - ▶ passing a sentence (punishment) – izricanje kazne
 - ▶ fine or imprisonment – novčana ili zatvorska kazna
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Terminology of civil and criminal law

CIVIL LAW (mostly concerns contract and tort law)

- ▶ private dispute
- ▶ protection of private rights and interests
- ▶ individuals take legal action/sue the defendant
- ▶ proving liability
- ▶ judgment in favour of the claimant or defendant
- ▶ an order/award of damages

▶ Translate the terms into Croatian!

Terminology of civil and criminal law


CIVIL LAW

- ▶ private dispute – privatni spor
- ▶ protection of private rights and interests – zaštita privatnih prava i interesa
- ▶ individuals take legal action/sue the defendant – pojedinac pokreće postupak/tuži tuženika
- ▶ proving liability – dokazivanje odgovornosti
- ▶ judgment in favour of the claimant or defendant – presuda u korist tužitelja ili tuženika
- ▶ an order/award of damages – odluka o naknadi štete

Exercises

- ▶ p. 22 / ex. VII, VIII


Identify the branches of law, part 1

1. The part of law concerned with the punishment of offences defined as crimes by the law
 2. The branch of law concerned with family matters
 3. The law of state regulating its domestic affairs
 4. The part of law concerned with the constitution or government of the state, or the relationship between the state and citizens
 5. The part of law concerned with inheritance of property
- 

Identify the branches of law, part 1

1. The part of law concerned with the punishment of offences defined as crimes by the law
CRIMINAL LAW
2. The branch of law concerned with family matters
FAMILY LAW
3. The law of state regulating its domestic affairs
NATIONAL LAW
4. The part of law concerned with the constitution or government of the state, or the relationship between the state and citizens
CONSTITUTIONAL LAW
5. The part of law concerned with inheritance of property
LAW OF SUCCESSION

Identify the branches of law, part 2

1. The branch of law primarily concerned with the rights and duties of individuals towards each other
 2. The part of law consisting of rules which determine how a case is administered by the courts
 3. The body of law which deals with the powers of the executive or administrative organs of the state
 4. A body of rules that control or affect the rights of states in their relations with each other and of individuals in relation to foreign states
 5. The law that determines the rights and duties, used by the courts in making decisions
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Identify the branches of law, part 2

1. The branch of law primarily concerned with the rights and duties of individuals towards each other PRIVATE (CIVIL) LAW
2. The part of law consisting of rules which determine how a case is administered by the courts PROCEDURAL LAW
3. The body of law which deals with the powers of the executive or administrative organs of the state ADMINISTRATIVE LAW
4. A body of rules that control or affect the rights of states in their relations with each other and of individuals in relation to foreign states (PUBLIC) INTERNATIONAL LAW
5. The law that determines the rights and duties, used by the courts in making decisions SUBSTANTIVE LAW

True or false?

1. A law is a type of provision.
2. Contract law is part of public law.
3. In civil trials for a breach of contract, the claimant prosecutes the defendant.
4. International law cannot relate to relations between individuals.
5. Legal doublets refer to words that are often used together, such as 'fair trial'.
6. Law of property regulates the inheritance of property by family members and other persons.
7. The passive voice is common in legal English because it refers to past events.
8. The judge may pass a sentence of 'guilty' or 'not guilty'.

comply – resolve – government – breach – damage
civil – fundamental – provision – sanction – regulation

1. 'Shall' expresses a legal imperative so it is suitable for binding _____.
2. The procedural function of law concerns the rules for _____ disputes.
3. All citizens must _____ with the law to avoid _____.
4. In case of a _____ of contract, the court may order the payment of _____.
5. Constitutions usually protect _____ rights and set forth the organisation of the main branches of _____.
6. Trespass and negligence are _____ wrongs.

Translate into Croatian

1. 'Shall' expresses a legal imperative so it is suitable for binding PROVISIONS.
2. The procedural function of law concerns the rules for RESOLVING disputes.
3. All citizens must COMPLY with the law to avoid SANCTIONS.
4. In case of a BREACH of contract, the court may order the payment of DAMAGES.
5. Constitutions usually protect FUNDAMENTAL rights and set forth the organisation of the main branches of GOVERNMENT.
6. Trespass and negligence are CIVIL wrongs.

Translate into Croatian

1. 'Shall' izražava zakonsku zapovjed te je stoga pogodan za obvezujuće odredbe.
2. Procesna funkcija prava odnosi se na pravila rješavanja sporova.
3. Svi se građani moraju pridržavati zakona kako bi izbjegli kazne.
4. U slučaju povrede ugovora, sud može naložiti plaćanje naknade štete.
5. Ustavi obično štite temeljna prava i određuju organizaciju glavnih grana vlasti.
6. Smetanje posjeda i nemar su građanski prijestupi (delikti).

Thank you for your attention!

