

Legal English

Warm up:

- What do you think about the legal system in your country? How does it compare to other countries?
- Are there any areas of the law that you find particularly confusing or frustrating?
- Have there been any changes in the law in your country in recent times that you are aware of?
- How do you think your country's legal system will change in the future?



1. Match the legal titles in the green box to the descriptions.

Prosecutor	Solicitor	Defendant	Judge
Attorney	Jury	Mediator	Paralegal

A legal representative of the government who is responsible for presenting a case against suspects in a criminal court of justice. *Prosecutor*

Another word for a lawyer, this person is responsible for defending their client in court and giving legal advice to their client. *Attorney*

A person who supports a lawyer or company by doing legal research and providing legal expertise. *Paralegal*

The person who is responsible for ensuring the law is followed in a case, and decides on the sentence if a person is found guilty. *Judge*

The people who decide whether or not a person is guilty of the crime they have been charged with. *Jury*

A person who has been charged with a crime and must stand trial. *Defendant*

An impartial third person who does not make decisions in a legal conflict, but ensures the procedure runs smoothly and fairly. *Mediator*

A type of lawyer who helps clients deal with legal matters such as writing a will, buying a house, or getting a divorce. These lawyers often have direct contact with their clients, but are rarely responsible for defending them in court. *Solicitor*

2. Read the text and fill in the gaps with one of the four choices given below.

One of the most well-known (a) of all time is that of Liebeck v. McDonald's. In 1994 an elderly woman named Stella Liebeck (b) McDonalds for 2.9 million dollars because she dropped a cup of hot coffee on herself. Liebeck claimed that McDonald's was (c) for her injuries, and a (d) awarded Mrs Liebeck 2.9 million dollars. This case is often held up as an example of how easy it is to sue people in America. However, there is more to this case than meets the (e). Stella Liebeck suffered third degree burns to 10 percent of her body, and originally only requested \$10,000 from McDonald's, just enough to cover her medical bills from the incident. McDonald's (f) the request and offered Mrs Liebeck \$800 instead. Mrs Liebeck contacted an (g) to represent her, who asked McDonald's to (h) out of court twice more before taking the case to (i). The court heard that McDonald's policy was to serve their coffee at about 85 degrees, 20 degrees hotter than the average serving temperature, and that in recent years more than 700 similar lawsuits had been filed, claiming (j) for burns received from the coffee. After 7 days of testimony, the jury found that McDonald's had been (k) in choosing to continue to serve coffee at this temperature, and Mrs Liebeck was awarded 2.9 million dollars.



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|----------------------|------------------------|--------------------|---------------------|
| (a) 1. judges | 2. objections | 3. lawsuits | 4. defendants |
| (b) 1. sued | 2. harassed | 3. courted | 4. attributed |
| (c) 1. neglected | 2. summoned | 3. entitled | 4. liable |
| (d) 1. jury | 2. defendant | 3. prosecutor | 4. stenographer |
| (e) 1. man | 2. eye | 3. face | 4. story |
| (f) 1. appealed | 2. rejected | 3. accepted | 4. reversed |
| (g) 1. paralegal | 2. official | 3. attorney | 4. intern |
| (h) 1. settle | 2. confess | 3. resign | 4. interject |
| (i) 1. mediation | 2. the judge | 3. McDonald's | 4. trial |
| (j) 1. litigation | 2. compensation | 3. penalties | 4. extradition |
| (k) 1. unrequited | 2. elevated | 3. justified | 4. negligent |

3. Ask and answer the following questions with a partner

- Had you heard of this case before reading this? What did you think about it?
- Do you think the amount Mrs Liebeck received was fair?
- Do you think McDonald's deserved to be punished for their actions?
- Do you know of any other famous lawsuits? Are there any cases that are particularly famous in your country?



4. You are going to watch a video that contains the following phrases. Use the phrases to complete the sentences below

under oath	patent	layperson's/layman's
xerox	deposition	verbatim
objection	supreme court	ambiguous

- The wording of the contract was *ambiguous*, so we had to rewrite it.
- Could you explain that to me in *layman's* terms please? I'm a bit confused.
- You're *under oath* right now, so lying is a crime.
- He read the document *verbatim* from start to finish, without missing a word.
- The *supreme court* ruled that electric scooters are legal.
- We have an old *xerox* machine in our office, it still works.
- Objection!!* That is not a fair question!
- Volvo had a *patent* for the three-point seat belt, but they let everybody use it.
- The defendant claimed in the *deposition* before the trial that he had never seen the victim before.

In 2010, the Cuyahoga County Recorder's office in Ohio was sued when it decided to charge \$2 per page for photocopies of public documents. The following video is taken from a transcript of a real deposition, and then performed by actors.



5. Watch the video "[Verbatim: what is a photocopier?](#)"¹ and answer the questions.

- Why does the defendant's lawyer think the question "does your office have a photocopying machine?" is not fair?
Because the definition of "photocopy machine" might not be clear
- Why does the defendant's lawyer object to the phrase "general guys"?
Because "guys" can mean only men
- What does the phrase "common parlance" mean?
Commonly used language
- In your own words, why is the prosecutor getting so upset?
He was upset because he was asking a very simple question and not getting an answer
- Do you think the defendant understands what a photocopier is?

¹ <https://www.youtube.com/watch?v=PZbqAMEwtOEm>



6. Read the scenario and then roleplay one of the three roles.

A doctor is being prosecuted by the medical board of his country. The doctor allegedly sent a form to a hospital falsely stating he was an elderly woman's doctor, forging her signature to gain confidential medical records. The doctor admitted sending the form, but says he only did it because he suspected the elderly woman was being abused by her stepdaughter. He says he has no memory of forging the signature, but was on antidepressants and other medications at the time, and was not thinking straight. It turns out the doctor was correct. The stepdaughter was abusing the elderly woman, and she was also stealing money from her. Now a tribunal must decide what happens to the doctor.

The Judge

You are the head of the tribunal, and should try to be fair and unbiased. Did the doctor act dishonestly? Should he lose his medical license, or have it suspended? Try to ask the other parties as many questions as possible, weigh up the arguments and the evidence, and decide on a punishment.

The Prosecutor

Your job is to persuade the judge that the doctor deliberately obtained the medical records by deception and that he used his status as a doctor to do so. You must argue that his actions constitute serious professional misconduct requiring a substantial penalty such as a suspension of his licence to practise medicine, or losing his license completely.

The Attorney

Your job is to persuade the judge that there is not enough evidence to conclude that the doctor was deliberately dishonest. On top of that the doctor's motivations were good and his actions could be seen as unprofessional, but do not constitute professional misconduct, and therefore should not be punished. According to you he should receive a warning at most.