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| **UNIVERSITY OF MONTENEGRO**  **LAW FACULTY**  **LEGAL ENGLISH LANGUAGE TEST - LEVEL 1**  **(Mid-term exam)** |  |

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(Name) (Index No.)

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(Date) (Group) (Score)

**I Read the text and do the exercise below**

**Law as a vocational discipline**

For many law students, the study of law prepares them for work as a practising lawyer. Generally speaking, a person must have a law degree to practise as a lawyer in Australia. Most jurisdictions also prescribe a period of additional study, after the law degree, at a practical training institution or a period of traineeship. Most lawyers practise as either solicitors or as barristers. Solicitors can practise alone, in partnership with another solicitor or be employed in private practice or in government. Lawyers also work in public interest organisations, such as legal aid, welfare, tenancy advice services and the like.

**Law as a general education**

In Australia more than a third of graduates with law degrees do not practise law. Law is seen as a good general education for working in business, banking, technology, the property market, construction, public administration, journalism, and many other occupations. Almost all law graduates have a second degree in another discipline, which they undertook at the same time as they studied law or prior to their law studies.

**Degrees in law**

Legal education at Australian universities consists of a minimum of a three year degree for those holding a prior university degree, or a four year degree for those without a prior degree. In both cases, the degree is normally studied between March and October, full-time, in each year. The qualification is called a Bachelor of Laws (LLB), or in some cases, a Juris Doctor (JD). The LLB is often studied in conjunction with another degree.

***On the basis of the text above say if these sentences true or false:***

1. Bachelor of Laws is never studied together with another degree.

2. Solicitors can never be employed by the government.

3. To practice law in Australia you have to have a degree in law.

4. All graduates with law degrees practice law in Australia.

5. Legal education at Australian universities consists of three or four year degree depending on whether the student has prior university degree or not.

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**II Complete the text using the correct comparative or superlative form of the given adjectives**

We will learn a lot about American legal system but our focus will be \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (practical) than theoretical. I am sure this is the \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (good) way to prepare for using English for law. This will make the course \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (challenging).

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**III Fill in the gaps with the appropriate words from the list. You will not use all the words.**

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| perform  breach  breached | contract  accused  compensation | parties tort  party remedies  plaintiff material |

A \_\_\_\_\_\_\_\_\_\_\_ case usually comes before a judge because one or both \_\_\_\_\_\_\_\_\_\_\_ claim that the contract was \_\_\_\_\_\_\_\_\_\_\_. A breach of contract is a failure, without legal excuse, to \_\_\_\_\_\_\_\_\_\_\_ any promise that forms all or part of the contract. A breach of contract can be \_\_\_\_\_\_\_\_\_\_\_ or minor. The parties’ obligations and \_\_\_\_\_\_\_\_\_\_\_ depend on which type of \_\_\_\_\_\_\_\_\_\_\_ occurred. A breach is material if, as a result of the breaching party’s failure to perform some aspect of the contract, the other \_\_\_\_\_\_\_\_\_\_\_ receives something substantially different from what the contract specified.

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**IV Translate the sentences**

1. Anyone who is not a party to the contract is considered a third party and cannot be obliged to do anything required by the contract.

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2. If we offer a generous out-of-court settlement, it is possible that they will not sue us.

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3. When meeting with a client to discuss a dispute a lawyer will generally explain how the law relates to the contract in question.

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**V Complete the text using the correct preposition**

If one of the parties breaches a contractual obligation, the non-breaching party may file a lawsuit \_\_\_\_\_\_\_ the breaching party. Damages are awarded \_\_\_\_\_ a party \_\_\_\_\_\_ any loss that the party has suffered as a result of a breach of contract.

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**VI Choose the correct verb**

1. The judge sued/defined/awarded damages to the injured party. \_\_\_\_\_\_\_\_\_\_\_

2. He was claimed/sued/ appealed for the breach of contract. \_\_\_\_\_\_\_\_\_\_\_

3. They concluded/sued/negotiated the conditions of the contract \_\_\_\_\_\_\_\_\_\_\_

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**VII Match the terms from column A with their meaning or definition in column B**

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| 1. fraudulent |  | a) | An assertion or manifestation by words or conduct that is not in accord with the facts. |
| 2. misrepresentation |  | b) | An extraordinary  remedy that compels a party to execute a contract according to the precise terms agreed upon or to execute it substantially so. |
| 3. specific performance |  | c) | obtained, done by, or involving deception, esp. criminal deception |

1. \_\_\_\_\_\_ 2. \_\_\_\_\_\_\_ 3. \_\_\_\_\_\_\_

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