

workbook

LEGAL ENGLISH ESSENTIALS 1

part I



FACULTY OF LAW
Comenius University
Bratislava

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part I

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2026

Legal English Essentials 1 : part 1 / Jarmila Brtková, Iva Dudášová, Sylvia Mičíková, Lucia Smolková. Bratislava : Comenius University Bratislava, Faculty of Law, 2026. 114 p. ISBN 978-80-7160-787-8

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Cover Design: Libuša Nicholson

First Edition

Published by Comenius University Bratislava, Faculty of Law
2026

ISBN (e-version)

978-80-7160-787-8



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LEGAL PROFESSION IN ENGLAND AND WALES (CHAPTER 1)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. barrister	a) the final stage of training to become a barrister in England and Wales; it is a one-year apprenticeship in a set of chambers, during which an individual works under the supervision of an experienced barrister
2. contentious	b) senior judges who sit in the Court of Appeal in England and Wales
3. pupillage	c) relating to disputes or disagreements
4. lord justices	d) a type of lawyer in the UK who specialises in advocacy – representing clients in court, giving specialist legal opinions, and drafting legal pleadings
5. to cross-examine	e) the legal right to appear and speak on behalf of a client in court
6. pre-nuptial agreement	f) to question a witness called by the opposing party in a trial to test the accuracy, truthfulness, or reliability of the witness's evidence
7. right of audience	g) legal documents used in the transfer of ownership of real property (land or buildings) from one person to another
8. conveyance deeds	h) a contract made by couples before marriage that set out how their assets will be divided if the marriage ends

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) After completing the Bar course, trainees must undertake a year-long _____ before they can practise independently.
- b) A _____ is usually instructed to represent a client in serious criminal trials or appeals.
- c) During a trial, the defence counsel has the right to _____ the prosecution's witnesses.
- d) Family lawyers often help couples prepare _____ to set out how property should be divided if the marriage ends.
- e) The senior judges who hear appeals from lower courts are called _____.
- f) Property transfers are formalised through legal documents called _____.
- g) Only lawyers who have the _____ may appear on behalf of clients in higher courts.
- h) Litigation and dispute resolution are examples of _____ legal work.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO EXAMINE / TO CROSS-EXAMINE	a will
TO COMPLETE	a barrister
TO REPRESENT	clients in courts
TO MAKE	a witness
TO INSTRUCT	a contract
TO DRAFT	the right of audience
TO HAVE	qualifying sessions

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) After finishing law school, trainee solicitors must _____ before they can practise fully.
- b) The lawyer was asked to _____ that clearly outlined the responsibilities of both parties in the business agreement.
- c) The barrister was hired to _____ during a complex commercial dispute.
- d) Companies often _____ when they need specialist advice for complex legal disputes.
- e) During the trial, the lawyer was given the opportunity _____ called by the opposing party.

- f) It is important for everyone with assets to _____ to ensure their property is distributed according to their wishes.
- g) Only qualified lawyers _____ in higher courts, allowing them to speak on behalf of their clients.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

The right of audience refers to a lawyer's legal authority to (1) and speak on (2) of a client in a court of law. In England and Wales, this right traditionally belonged mainly to (3), who could represent clients in all courts, including the higher courts. Solicitors, on the other hand, were usually limited to lower courts (4) they obtained additional qualifications. Today, the situation has become more flexible, and many solicitors can (5) for higher-rights accreditation, allowing them to (6) as advocates in more complex cases. The purpose of regulating rights of audience is to (7) that individuals appearing before the court have the necessary training, competence, and professional responsibility to (8) clients effectively.

1. A) emerge	B) come	C) appear	D) go
2. A) behalf	B) name	C) sake	D) head
3. A) pupils	B) justices	C) judges	D) barristers
4. A) unless	B) if	C) when	D) after
5. A) request	B) apply	C) demand	D) initiate
6. A) perform	B) work	C) act	D) conduct
7. A) declare	B) endeavour	C) assume	D) ensure
8. A) examine	B) represent	C) advocate	D) draw up

6. PREPOSITIONS: Fill in the gaps with the missing preposition from the following list: INTO, IN (2x), WITHOUT, FROM, BEFORE, UNDER

Pupillage is the final stage of training to become a barrister in England and Wales. It is a one-year apprenticeship (1) a set of chambers, divided (2) two six-month periods called "sixes." During the first six months, the pupil observes court proceedings, drafts documents, and learns (3) their supervisor (4) representing clients. In the second six months, the pupil may begin to represent clients (5) court (6) supervision. Pupillage provides practical advocacy experience, teaches courtroom procedures, and helps develop professional conduct and client-handling skills. Completion of pupillage is required (7) a barrister can practise independently.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
CONVERSION		SPEECH	
	TO SOLICIT		TO REPRESENT
NEGOTIATION		GRADUATE	
	TO EXAMINE		TO ADVOCATE
	TO DRAFT		TO PLEAD
ACQUISITION		SUPERVISION	

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- The lawyer worked hard _____ for her client during the court hearing.
- Before buying the company, the board carried out careful due diligence on the potential _____.
- During the trial, the defendant decided _____ guilty to the charges.
- Effective _____ is essential when drafting complex contracts to ensure both parties agree.
- The junior barrister completed the task under the _____ of a senior mentor.

9. Fill in the gaps with the words derived from the words in brackets.

The **cab-rank rule** is a fundamental principle of (1).....(**profession**) conduct for barristers in England and Wales. According to this rule, a barrister must accept any case within their area of (2).....(**expert**) if they are available and the client is willing to pay their usual fees. This (3).....(**obliged**) ensures that all individuals, regardless of the nature of their case or the barrister's personal (4).....(**to opine**), have access to legal (5).....(**to represent**). The rule takes its name from the idea of a taxi at a cab rank: just as a taxi must take the next passenger in line, a barrister must take on a case in order, without (6).....(**to discriminate**). The cab-rank rule promotes (7).....(**fair**) in the legal system and maintains public confidence in the (8).....(**to depend**) of the bar. However, there are some exceptions, such as cases where a barrister has a conflict of interest, lacks the necessary expertise, or is already fully booked. Overall, the cab-rank rule reinforces the (9).....(**ethics**) responsibility of barristers to provide justice (10).....(**impartial**) and without prejudice.

10. Fill in the gaps with the words from the list: *comply, advice, litigation, disputes (2x), interests, settlements, contracts, contact, represent, case (2x), trial, laws, legislation, courts*

Solicitors are a type of lawyer who primarily provide legal -1- and services outside of courtrooms. They play a crucial role in the legal system, assisting clients with various legal -2- and often acting as the first point of -3-.

They prepare legal documents such as -4-, wills, and agreements, ensuring that these documents -5- with the law and protect their clients' -6-. Although solicitors typically handle matters outside the courtroom, they -7- clients in less formal settings and can also manage -8-. They may also represent clients in lower -9- or tribunals.

Solicitors often negotiate -10- and mediate -11- to resolve conflicts without going to -12-. They conduct research to provide informed legal advice, understand -13- law, and stay updated on changes in -14-. Solicitors maintain ongoing communication with clients, keeping them informed about the progress of their -15- or legal matter and advising them on the best course of action. They ensure that clients comply with relevant -16- and regulations, guiding them through legal requirements for various transactions and processes.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

a) The primary role of the barristers is to **do advocacy**.

b) Barristers may **examine and cross-examine** witnesses in courts.

c) After completing the Bar Training Course, she was officially **called to the Bar**.

d) The first half of the barrister's **pupillage** is focused mainly on observation.

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

The client (1)..... the barrister to carefully review the facts of the case and (2)..... on the best legal strategy. They asked the barrister to (3)..... them in court during the upcoming (4)..... and to advocate effectively on their (5)..... The client also requested that the barrister (6)..... witnesses and challenge any evidence presented (7)..... them, as well as (8)..... any necessary legal documents, including pleadings or applications. Additionally, the barrister was asked to provide clear advice on legal rights and potential outcomes, and, if appropriate, to negotiate with the (9)..... party to reach a settlement. The client emphasised that all discussions and documents must remain (10).....

B. READING

13. WARM-UP QUESTIONS: You are going to read a text about barristers' core duties. Answer the following questions first:

- What do you already know about the role of a barrister in the legal system?
- Why do you think legal professionals need strict professional rules or codes of conduct?
- What qualities do you believe are most important for someone representing a client in court?
- Can you think of a situation where a lawyer might face a conflict between helping their client and following the law?
- Why is confidentiality important in the relationship between a lawyer and their client?

BARRISTERS' CORE DUTIES

Barristers have ten Core Duties that they are required to follow when they are working for a client:

1. To observe their duty to the court in the administration of justice

This means that a barrister:

- must not mislead a court or a judge or waste a court's time and may need to make sure the court has all the relevant information it needs
- must not abuse their role as an advocate; and
- they must ensure that their ability to act independently is not compromised.

A barrister's duty to the court is an important one, which can override other duties such as the duty to act in the best interests of each client. But it does not require them to breach the duty of confidentiality that they have to their client.

2. To act in the best interests of each client

A barrister who is working for you must always think about what is best for you and do their job in a way that reflects that. This does not mean that a barrister can lie on your behalf, or that they must do everything you tell them. Their duty to the court comes above even their duty to you as their client and barristers must act with independence, honesty and integrity. This means, for example, that they cannot do anything for you that would go against their duty to the court.

3. To act with honesty, and with integrity

The duty to act with honesty and with integrity includes not misleading or lying to anyone, not encouraging other people to mislead or be untruthful, and only accepting money and fees that they are legally allowed to. Barristers should also show integrity by upholding the professional standards expected of them.

4. To maintain their independence

To make sure barristers maintain their independence, they are not allowed to offer, promise or give gifts or referral fees to any client (or intermediary such as a solicitor), or to accept any money from a client or intermediary unless it is as payment for their professional work. They cannot work for you if there is, or they think there might be, a conflict of interest for them in doing so.

5. Not to behave in a way that is likely to diminish the trust and confidence which the public places in them or the barrister profession

Things that would be likely to diminish trust and confidence in the profession could include committing a crime, being dishonest, harassing others, offensive conduct towards other people, or abuse of their position as a barrister.

6. To keep the affairs of each client confidential

This means that barristers are not allowed to talk to other people about what you tell them without your consent.

7. To provide a competent standard of work and service to each client

A competent standard of work and service includes promoting a client's best interests, treating clients with courtesy and consideration, advising a client in terms that they can understand, avoiding unnecessary costs for a client, and reading a client's instructions promptly.

8. Not to discriminate unlawfully against any person

Barristers must not treat anyone less favourably or harass them or victimise them because of their race, colour, ethnicity or nationality, citizenship, sex, gender reassignment, sexual orientation, relationship status, disability, age, religion, belief or pregnancy/maternity.

9. To be open and cooperative with regulators

This means that barristers have to do what is asked of them by the Bar Standards Board or the Legal Ombudsman and provide the Bar Standards Board with information it need about them.

10. To take reasonable steps to manage their practice or carry out their role within their practice, competently and in such a way as to achieve compliance with their legal and regulatory obligations

This means that a barrister must run their practice in a way that follows the rules in the BSB Handbook.

14. Are the following statements true or false?

- a) A barrister's duty to the court can be more important than their duty to act in the best interests of their client.
- b) A barrister must not accept gifts or referral fees from clients or intermediaries.
- c) Barristers may discuss a client's confidential information with others if they think it is helpful for the case.
- d) Acting with honesty and integrity includes not encouraging others to lie or mislead.
- e) Barristers must avoid unnecessary costs for their clients as part of providing a competent service.
- f) A barrister may continue working for a client even if there is a conflict of interest.
- g) Barristers must cooperate with the Bar Standards Board when asked for information.
- h) Committing a crime could diminish public trust in a barrister.
- i) Barristers must not discriminate against anyone based on protected characteristics such as race, sex, or disability.

15. Finish the following sentences based on the text about barristers:

- a) Even though a barrister must act in the best interests of their client, they cannot
- b) Acting with honesty and integrity means that a barrister should never
- c) To maintain independence, a barrister must avoid
- d) Public trust in the barrister profession can be damaged if a barrister
- e) A barrister must keep client affairs confidential, which means they cannot
- f) Providing a competent standard of work includes advising clients

- g) A barrister must not discriminate against anyone on the basis of
- h) Being open and cooperative with regulators means that a barrister must
- i) To comply with regulatory obligations, a barrister must manage their practice in a way that

C. WRITING

16. You are a barrister. A law student who is considering a career at the Bar has asked you to describe your work. Explain what your job involves and what you like and dislike about being a barrister.

17. Imagine you are a client or a professional who needs to report a concern about legal or professional conduct. Draft a formal email or letter to the appropriate regulator (e.g., the Bar Standards Board or Legal Ombudsman).

18. Imagine you are a solicitor. You are taking on a new client and need to formalise your agreement to act for him/her. Draft a client engagement letter. Your draft should include: (i) a greeting and introduction, (ii) confirmation that you will act on the client's behalf, (iii) a brief outline of the scope of your work (what services you will provide), (iv) information about fees, billing, or costs, (v) any important conditions or instructions the client needs to know, (vi) a polite closing, inviting the client to confirm his/her agreement.

D. SPEAKING

19. ROLE-PLAYS: Work in pairs and role-play the following three scenarios.

- a) **SCENARIO 1:** Student A is a solicitor working in a law firm who is meeting a potential client for an initial consultation; the solicitor introduces himself/herself, describes his/her areas of expertise, explains his/her experience and fees, and tries to persuade the client to hire him/her. Student B is a client looking for a solicitor to draft a contract for the sale of a house. He/she asks questions about the solicitor's specialisation, experience, availability, and costs, and then decides whether or not to hire the solicitor, explaining the reasons for such decision.
- b) **SCENARIO 2:** Student A is a landlord who is experiencing problems with a tenant. The tenant has failed to pay rent and has damaged the furniture in the apartment. Student B is a solicitor who has been asked to provide legal advice. The solicitor asks questions to clarify the facts and explains the landlord's basic

legal options - the landlord can demand payment of the unpaid rent by a written notice and claim compensation for the damage to the furniture (for example from the security deposit). If the tenant continues to breach the contract, the landlord may have the right to terminate the lease and start eviction proceedings. As a last step, the landlord can bring a court claim for unpaid rent and damages.

20. PRESENTATION: Prepare a presentation about any of the following topics:

- a) The qualification route to become a solicitor in the UK.
- b) The qualification route to become a barrister in the UK.

E. TRANSLATION

21. Translate the following sentences:

- a) Klient požiadal svojho advokáta o právnu radu ohľadom zmluvy, ktorú podpísal.
- b) Advokát musí zachovávať dôvernosť informácií, ktoré mu klient poskytne.
- c) Na pojednávaní, na ktorom bol žalobca zastúpený svojím advokátom, sudca rozhodol v prospech žalobcu po vypočutí všetkých svedkov.
- d) Ak advokát poruší svoje povinnosti ustanovené v etickom kódexe, môže byť disciplinárne postihnutý.
- e) Strany sa s pomocou svojich právnych zástupcov dohodli na mimosúdnom vyrovnaní sporu.
- f) Klient môže podať sťažnosť na advokátsku komoru, ak nie je spokojný so službami advokáta.

- g) Advokát zastupoval klienta v občianskoprávnej veci týkajúcej sa nájomnej zmluvy.
- h) Advokát zastupujúci svojho klienta je povinný predložiť súdu všetky dokumenty včas a v súlade s príslušnými právnymi predpismi.

F. LISTENING

There are many paths to practice and a wide range of career opportunities available to barristers. Claire Lindley, Chief Crown Prosecutor for CPS London South, shares her career journey. Find out why she chose to become a barrister, what life at the Employed Bar is like and how Gray's Inn supported her journey.

<https://www.youtube.com/watch?v=hFq3dMssRAw>

22. Answer the questions based on what you hear.

- a) How did she find out about the opportunity of working at the CPS?
- b) What was the most exciting thing about joining the CPS?
- c) Why do you have to be emotionally resilient when working at the CPS?
- d) How does she compare the role of barristers in chambers to barristers working at the CPS?
- e) How does she feel about her colleagues?

23. Complete the following sentences with the exact words you hear.

- a) She chose the CPS because every day they are serving the and that is very for her.
- b) She was attending court both in the Magistrates Court and in the Court.
- c) The role of the Crown Prosecution Service is in essence to ensure that justice is delivered and that is a huge
- d) She says that there are a lot of benefits by joining the Bar. In addition, there are also lots of healthcare benefits, ... leave, ... leave and other good things that assist in one's balance.
- e) Her advice to anyone considering law would be to be in your own abilities.

LEGAL PROFESSION IN THE USA (CHAPTER 2)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. attorney	a) the time a lawyer spends working on a client's case that can be charged to the client
2. associate	b) a lawyer employed by the state to represent criminal defendants who cannot afford a private lawyer
3. in-house lawyer	c) a junior lawyer employed by a law firm, usually at the early stage of their legal career; work under the supervision of partners and handle tasks such as legal research, drafting documents, advising clients, and sometimes appearing in court
4. paralegal	d) a lawyer employed directly by a company or organization, rather than working for a law firm
5. billable hours	e) a lawyer who is legally qualified to represent clients in legal matters, including giving legal advice and appearing in court; the term is used primarily in the USA
6. public defender	f) a trained legal professional who assists lawyers with legal work but is not qualified to give legal advice or represent clients in court; he/she supports lawyers by doing research and paperwork but does not act as a lawyer

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) The company's advised management on the legal risks of the new contract.

- b) The prepared the case files and organized the evidence for the attorney.
- c) The lawyer tracked her carefully to ensure the client was accurately charged.
- d) The represented the accused who could not afford a private lawyer.
- e) The drafted the first version of the contract for the partner's review.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO APPEAR IN	legal documents
TO SPECIALISE IN	a law firm
TO PREPARE	advice
TO JOIN	court
TO CHARGE	a fee
TO GIVE	litigation

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) The in-house lawyer was asked on the legal implications of the new employment contract.
- b) The defendant was required to respond to the allegations.
- c) She and regularly represents clients before courts.
- d) The associate needed to file the claim.
- e) Lawyers usually based on the time spent on the case.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

Attorney – client privilege is a cornerstone of the legal system that protects the (1) of communications between a client and their lawyer. This privilege allows clients to (2) all relevant facts to their attorney without fear that the information will be (3) to others, including courts, opposing (4), or government authorities, except in certain limited circumstances. The main purpose is to promote open and honest communication, (5) lawyers to provide informed advice, develop effective legal strategies, and (6) the client's rights are fully protected. Attorney – client privilege covers oral and written communications, as well as materials prepared by the lawyer. However, the privilege is not absolute: it generally does not apply if the client (7)

advice to commit a future crime or fraud, and it can be **(8)** if the client voluntarily discloses the information to third parties.

1. A) permission	B) confidentiality	C) obligation	D) application
2. A) transfer	B) handle	C) disclose	D) transmit
3. A) revealed	B) recovered	C) remitted	D) redressed
4. A) people	B) entities	C) participants	D) parties
5. A) determining	B) preventing	C) enabling	D) discouraging
6. A) ensure	B) insure	C) pressure	D) reassure
7. A) grants	B) gives	C) seeks	D) facilitates
8. A) warranted	B) waived	C) wronged	D) withheld

6. PREPOSITIONS: Fill in the gaps with the missing preposition from the following list: *UNDER, BETWEEN, TOWARD, TO, WITHIN, ON, ABOUT, WITH, FROM, THROUGH*

An **associate attorney** is a budding lawyer who is usually a recent law school graduate or has limited work experience (although degrees of experience can vary **(1)** junior and senior associate attorneys). Associate attorneys are typically employed by a law firm, government agency or other legal entity to provide legal services **(2)** the supervision of a more seasoned lawyer, such as a partner or senior counsel. In many law firms in Georgia and other states, the position of associate attorney is a stepping stone to becoming a partner. As an associate, you may be expected to undertake challenging assignments, but the position can be key **(3)** gaining valuable experience and building a reputation **(4)** the legal community that can eventually propel you **(5)** a partnership. The daily duties of an associate attorney can vary depending on the type of law they practice and the specific needs of their clients and firm. At the Dressie Law Firm, some common duties of an associate attorney include:

- Handling personal injury claims **(6)** pre-litigation **(7)** litigation
- Negotiating settlements **(8)** insurance companies
- Communicating with clients to keep them informed **(9)** the progress of their case and to answer any questions or concerns they may have
- Conducting research **(10)** relevant laws, regulations and legal precedents
- Drafting legal documents, including lawsuits, demand letters and settlement agreements
- Preparing for and attending all necessary depositions, mediations, hearings and trials.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
ADMISSION		COUNSEL	
TRIAL		PRACTITIONER	
HEARING		ADVICE	
	TO GRADUATE		TO PROSECUTE
	TO LITIGATE		TO OVERSEE
	TO SPECIALISE		TO COMPLY

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- The company decided to avoid costly by settling the dispute out of court.
- She in employment law and regularly represents employees in discrimination cases.
- The presented strong evidence to prove the accused's intent beyond reasonable doubt.
- A lawyer may a client on the risks and benefits of accepting a plea deal.
- She is a recent law school and has just passed the bar exam.

9. Fill in the gaps with the words derived from the words in brackets.

Pro bono work refers to legal services provided (1)..... (**voluntary**) by lawyers or law firms, without charge, to individuals or organizations, that cannot afford legal (2)..... (**to represent**). It is an important aspect of the legal profession, reflecting the (3)..... (**to commit**) of lawyers to justice and social responsibility. Many law firms actively (4)..... (**encouragement**) pro bono work as part of their culture. These efforts range from (5)..... (**assistance**) low-income clients with civil matters, such as housing (6)..... (**disputable**), immigration cases, and family law issues, to supporting non-profit organizations, advocacy groups, or public interest (7)..... (**litigant**). Some firms also organize legal clinics, workshops, or educational programmes to raise (8)..... (**aware**) of legal rights in the community. Pro bono work benefits not only the (9)..... (**to receive**) but also the lawyers themselves. It allows legal professionals to gain experience in diverse areas of law, develop skills, and (10)..... (**strong**) teamwork while making a meaningful social impact. For law firms, a strong pro bono programme enhances (11)..... (**reputable**) and

demonstrates a commitment to ethical and civic responsibility. In essence, pro bono work is a vital bridge between the legal profession and society, ensuring (12)..... (**accessible**) to justice for those who might otherwise be left without legal support.

10. Fill in the gaps with the words from the list: CAUSATION, DAMAGES, HIRE, ACTION, EXPECTED, SUFFERS, NEGLIGENT, RESULTED, COMMITTED, CONSTITUTE, BREACHES, LIABLE, REPRESENT

Legal Malpractice. An attorney, just like any other professional, is held to a certain standard. Attorneys have a duty to -1- their clients to the best of their ability. Failure to adhere to this duty could result in the attorney being -2- for legal malpractice. However, an attorney has not -3- malpractice just because their client lost their case. Specific elements of conduct must be present for the attorney's actions to -4- legal malpractice. Legal malpractice occurs when an attorney -5- their duty of care to their client and that client -6- some harm as a result. This means that the attorney's negligent conduct -7- in the client suffering some type of damage or loss. In other words, malpractice occurs when the client would have won their case had it not been for the negligence of their attorney. On the flip side, there is no malpractice – even if the attorney was -8- – if the client would have lost the case anyway. There are typically four elements that must be present in a legal malpractice -9-:

- The first element that must be present is a duty. Once you -10- an attorney, they have a duty to competently represent you.
- Next, a breach of that duty must occur. Attorneys are held to a high standard, and a breach occurs when their actions fall below the standard -11- of an attorney with similar experience and training.
- The third element is -12-. The client must show that the attorney's breach of duty was the direct cause of the harm they sustained.
- Finally, there must be -13-. Typically, these damages come in the form of financial loss, but damages could also include other types of loss or injury.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

- a) My attorney has committed **malpractice**.
- b) **Attorney-client privilege** protects confidential communication between a lawyer and their client from being disclosed in court.
- c) Attorney has to prove that he **made a full disclosure** of all the relevant information that he had.
- d) The client hired an attorney on a **no win no fee basis**.

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

A **law firm** is an organisation formed by one or more lawyers who work together to (1) legal services to individuals, businesses, or other organisations. Law firms (2) a wide range of legal matters, including (3) legal advice, drafting contracts, (4) clients in negotiations or court proceedings, and assisting (5) regulatory compliance. They often (6) in specific areas of law, such as corporate law, criminal law, intellectual property, or family law, although some general practice firms cover multiple areas. Law firms can vary (7) size from small partnerships with a few lawyers to large multinational firms with hundreds of attorneys and support staff. In addition to lawyers, law firms often employ paralegals, legal assistants, and administrative personnel to support their work, and they may (8) clients in different ways, including hourly rates, fixed fees, or contingency arrangements. Law firms play a key role in the legal system by (9) clients understand and navigate the law while ensuring professional and ethical standards are maintained.

B. READING

13. WARM-UP QUESTIONS: You are going to read a text about the use of AI by lawyers. Answer the following questions first:

- a) What legal tasks do you think AI can be used for?
- b) Which tasks should never be done by AI in law?
- c) Does AI threaten lawyers' jobs, or does it change them?

2025 Guide to Using AI in Law: How Firms are Adapting

The primary purpose of incorporating AI in law is to streamline tasks and operations that traditionally require extensive human intervention, like document review or translation, transcript summarizations, legal research, contract analysis, client and case management, and billable hour tracking.

Even with concerns about privacy and seamless integration slowing overall adoption, 31% of lawyers and 21% of firms are using generative AI now, according to the 2025 Legal Industry Report. Additionally, 82% of these users have found that using AI increases their overall efficiency, allowing them to dedicate more time to complex tasks, strategic planning, and client nurturing.

It is important to ensure the responsible evolution of legal AI so that it can supplement and enhance attorney work without compromising client privacy or a client's right to effective representation.

Here are some of the key applications of AI in legal work, which meet ethical standards and can significantly improve efficiency:

Contract analysis and management: AI dramatically speeds up contract review by automatically flagging potential issues and ensuring compliance with relevant laws and regulations. This helps mitigate risks and enhance the efficiency of legal operations.

Legal research: AI streamlines legal research processes, enabling lawyers to obtain comprehensive insights faster than traditional methods.

Case preparation: AI is useful when it comes to case preparation. AI streamlines the document review. It also sorts and analyzes data, making case preparation faster. You can also use AI in legal research to help find cases that could serve as precedents for your arguments.

Writing and client communications: AI-powered tools can edit, summarize, and refine your content quickly and efficiently. Advanced text editing and translation capabilities improve the tone and accuracy of client communications.

Translation: Different languages can be translated in real time, enabling law firms to operate globally – saving time and money on the translation process.

Legal chatbots and virtual assistants: These AI-powered tools improve client service by responding immediately to inquiries and supplying information 24/7. These tools can handle routine queries enabling legal professionals to focus on more complex issues.

AI-powered case assistants: AI helps law firms manage cases more efficiently by organizing information, supporting faster access to case details, and reducing manual work across everyday workflows. For example, AI assistants can help attorneys quickly summarize case files and surface key information when they need it.

14. Are the following statements true or false?

- a) According to the 2025 Legal Industry Report, more than half of law firms are already using generative AI.
- b) Most lawyers who use AI report increased efficiency and more time for strategic and client-focused work.
- c) Privacy concerns and integration challenges have slowed the widespread adoption of AI in the legal profession.
- d) Legal chatbots are available only during standard office hours.

- e) AI tools slow down contract review because every document must still be analysed manually.

15. Finish the following sentences based on the text above:

- a) The main purpose of using AI in the legal profession
- b) According to the 2025 Legal Industry Report, ...
- c) Many legal professionals report that AI increases efficiency, allowing them to spend more time on
- d) AI supports contract analysis by
- e) Legal chatbots and virtual assistants improve client service by

C. WRITING

16. Write a short paragraph explaining the area / areas of law you would like to specialise in once you graduate from the law school.

17. Express your opinion in writing on whether AI or legal technology improves the work of lawyers. Include advantages, disadvantages, and your personal stance.

18. Imagine you are an associate that has been instructed by a senior partner in your law firm to prepare a summary of all pro bono cases your law firm has provided over the last year. Name at least three cases explaining what kind of legal services have been provided.

D. SPEAKING

19. ROLE-PLAYS: Work in pairs and role-play the following three scenarios.

- a) **SCENARIO 1:** A law student (student A) wants to apply for an internship at a law firm. The interviewer – the law firm partner (student B) - asks questions about the student's education, skills, and motivation, and the student tries to convince the partner he/she is a good candidate. The law student should introduce himself/herself briefly (education, year of study, relevant experience, explain why he/she wants to intern at the law firm, highlight skills that make him/her suitable (e.g., research, writing, attention to detail), and ask questions about the internship (tasks, supervision, learning opportunities).
- b) **SCENARIO 2:** A law firm's managing partner (student A) is having a discussion with another law firm's managing partner (student B) about the possible

integration of AI into their law firm's work. They have different opinions and must discuss potential advantages, risks, and ethical considerations.

- c) **SCENARIO 3:** Two managing partners of a law firm (Student A and Student B) are discussing whether their firm should start offering pro bono services. Student A supports providing pro bono work, highlighting the benefits for the community, the firm's reputation, and professional development for junior lawyers. Student B is concerned about the potential costs, time commitment, and impact on billable hours. Both partners must present their viewpoints and discuss possible ways to implement pro bono work at their law firm.

20. PRESENTATION: Prepare a presentation about any of the following topics:

- a) Look up a real law firm operating in the USA and prepare a presentation about its organisational structure (e.g., partners, associates, departments, leadership) and areas of expertise (e.g., corporate law, litigation, intellectual property).
- b) Choose a real, well-known lawyer who practises or has practised law in the United States and research his/her academic background, including law school and degrees. Find information about his/her current practice or role, such as the law firm he/she works for, his/her position, and areas of specialisation. Highlight any notable cases, accomplishments, awards, or contributions they have made to the legal profession.

E. TRANSLATION

21. Translate the following sentences:

- a) Advokátska kancelária poskytuje špičkové právne poradenstvo v oblasti práva duševného vlastníctva, pracovného práva a konkurzného práva.
- b) Advokátske tajomstvo chráni všetky informácie, ktoré klient poskytne svojmu advokátovi.
- c) Klient požiadal advokáta o radu ohľadom sporu so svojím prenajímateľom.

- d) V rámci pro bono činnosti advokát poskytuje bezplatné právne služby.
- e) Klient splnomocnil advokáta, aby ho zastupoval v súdnom konaní.

LEGAL PROFESSION IN THE SLOVAK REPUBLIC (CHAPTER 3)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. legal aid	a) a lawyer who represents the state and brings criminal charges against a defendant in court
2. undergraduate	b) a public official authorised by the state to e.g. certify copies of documents, signatures, or to draft wills
3. graduate	c) a student who is studying for his/her first (bachelor's) degree at a university or college
4. mandate contract	d) a formal document drawn up and certified by a notary public, which confirms that an act, agreement, or declaration has taken place and is legally binding
5. notarial deed	e) a person authorised by the court to enforce a judgment
6. prosecutor	f) a student who has finished university
7. notary public	g) assistance provided to people who cannot afford a lawyer or legal representation; this can include advice, representation in court, or help with legal documents
8. executor / enforcement officer	h) a contract in which one party (the mandatary) agrees to perform a task or service on behalf of another (the mandator)

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) She applied for because she could not afford to pay for a lawyer.
- b) A/an certified the authenticity of the signatures on the document.

- c) He is a/an law student in his second year of study.
- d) She is a law who recently completed her degree and is looking for a position in a law firm.
- e) The presented the evidence in court and argued that the defendant should be found guilty.
- f) The transfer of the property was finalised in a signed by the buyer, the seller, and the notary public.
- g) The seized the debtor's vehicle pursuant to the writ of execution.
- h) The company signed a with a law firm, authorising the lawyers to handle all negotiations and legal filings on its behalf.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO PRESENT	a property
TO BRING	documents
TO CERTIFY	a lawyer
TO ENFORCE	evidence
TO SEIZE	a judgment
TO AUTHORISE	charges

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) The client signed a mandate contract to act on his/her behalf in the lawsuit.
- b) The court appointed an executor and collect the unpaid debt.
- c) The prosecutor went to court proving the defendant's involvement in the crime.
- d) The prosecutor declined due to lack of evidence.
- e) The executor was instructed to satisfy the unpaid debt under the court judgment.
- f) means to officially confirm that a copy of a document is true, accurate, and authentic and the document is legally recognised for official or legal purposes.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

Prosecutors under Slovak law. Under Slovak law, prosecutors are responsible for representing the state (1) criminal matters and ensuring that the law is followed.

They prosecute persons suspected of (2) crimes, supervise the investigations and actions by the police, and monitor the lawfulness of places where personal freedom is (3), such as prisons or detention centres. Prosecutors (4) their powers in criminal, civil, and administrative court proceedings, and represent the state in court when authorised by law. They also participate in crime prevention, help eliminate conditions that encourage criminal activity, advise (5) the drafting of legislation, and (6) in international legal cooperation. Additionally, prosecutors may perform special duties assigned by law, international (7), or EU regulations, such as serving in European prosecutorial bodies or disciplinary panels.

1. A) on	B) in	C) by	D) with
2. A) creating	B) doing	C) committing	D) engaging
3. A) restricted	B) replaced	C) redressed	D) rebuilt
4. A) claim	B) exercise	C) work	D) apply
5. A) with	B) under	C) for	D) on
6. A) contribute	B) enter	C) engage	D) accompany
7. A) deals	B) contracts	C) negotiations	D) treaties

6. PREPOSITIONS: Fill in the gaps with the missing preposition from the following list: *FROM, AGAINST, FOR, WITH, WITHOUT, OUT, BY*

Executors (enforcement officers) under Slovak law. An executor is a person appointed and authorised (1) the state to carry (2) enforcement proceedings. The executor must be registered (3) the Slovak Chamber of Executors. Enforcement is the compulsory execution of a court decision. Enforcement proceedings cannot begin (4) a court decision by which the court authorises an executor to initiate enforcement proceedings (5) the debtor. An executor has several options (6) ensuring the repayment of a debt. He/she investigates the debtor’s financial and property situation and, in certain cases, may also carry out a home or personal search. An executor may enforce repayment of the debt in various ways, including deductions (7) wages and other income, sale of movable property, sale of securities, sale of immovable property, sale of a business, seizure of a driving licence in cases of non-payment of child support, etc.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
	TO ENFORCE		TO RESTRICT
	TO EXECUTE	PRISON	
APPOINTMENT			TO PROCEED

INVESTIGATION		POWER	
SUPERVISION			TO SEARCH
	TO PROSECUTE	SEIZURE	

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- a) The prosecutor decided the company for environmental offences.
- b) The court decided the defendant for a period of five years.
- c) If the debtor fails to pay voluntarily, the executor is entitled his assets during enforcement proceedings.
- d) The power of attorney the attorney to act on behalf of the client.
- e) The executor performed a /an to locate the debtor's assets.

9. Fill in the gaps with the words derived from the words in brackets.

Judges under Slovak law. Judges are (1) (**TO REPRESENT**) of the judicial power. In the performance of their duties, judges are independent and (2) (**INTERPRETATION**) laws and other generally binding legal (3) (**TO REGULATE**) according to their best knowledge and conscience, deciding (4) (**IMPARTIAL**), fairly, without undue delay, and solely on the basis of facts established in (5) (**ACCORDING**) with the law. Judges make decisions in a panel or as single judges. Judges in the Slovak Republic are (6) (**APPOINTMENT**) and removed from their office by the President of the Slovak Republic, upon a proposal by the Judicial Council of the Slovak Republic, for an unlimited term. Judges are (7) (**BINDING**) by the Constitution, laws, and international treaties. They (8) (**ASSUMPTION**) their office after taking an oath before the President of the Slovak Republic. A citizen of the Slovak Republic who is (9) (**ELIGIBILITY**) to stand for election to the National Council, is at least 30 years old, holds a university degree in law, and meets the (10) (**TO REQUIRE**) of judicial competence ensuring proper performance of judicial duties may be appointed as a judge.

10. Fill in the gaps with the words from the list: *AUTHORITY, PRINCIPAL, BEFORE, BEHALF, RIGHTS, SETTLEMENTS, ATTEND, EMPOWER, DOCUMENTS*

Power of attorney. A **power of attorney** is a formal legal instrument by which one person, known as the **(1)** or client, grants **(2)** to another person – typically an **attorney-at-law** – to act on his/her **(3)** in specified legal matters. In the context of legal representation, a power of attorney authorises the attorney-at-law to represent the client in litigation **(4)** courts and other competent authorities, to prepare, file, and receive legal **(5)**, and to make procedural statements and submissions. Depending on its scope, it may also **(6)** the attorney-at-law to **(7)** hearings, examine evidence, negotiate or conclude **(8)**, receive service of documents, and take all lawful actions necessary to effectively protect and enforce the client's **(9)** and interests.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

- a) The lawyer must **file a pleading** with the court within the statutory time period.
- b) The firm agreed **to render legal services** to the client in connection with the commercial dispute.
- c) The attorney is authorised **to act on behalf of** the client in all negotiations with the opposing party.
- d) An attorney may be **liable** to the client for losses caused by incorrect legal advice.

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

Attorneys-at-law play a central role in practising law in Slovakia and are the primary legal professionals authorised to **(1)** legal services to the public. They must be registered **(2)** the Slovak Bar Association. To become an attorney, a person must obtain a law **(3)**, complete a legal traineeship, **(4)** the bar examination, and be entered in the official register. Attorneys are authorised to render legal advice, prepare legal documents, represent clients **(5)** courts and other public authorities, and act on **(6)** of clients in negotiations and other legal matters. In performing their duties, attorneys are required to act independently, protect their clients' **(7)**, and observe professional secrecy. They are also subject to disciplinary supervision by the Slovak Bar Association and may be liable for damage **(8)** to clients by professional misconduct or negligence.

B. READING

13. WARM-UP QUESTIONS: You are going to read a text about a judge and his suspicious asset declarations. Answer the following questions first:

- a) Why do judges need to declare their assets?
- b) What might happen if a public official, like a judge, hides money or provides false information about his/her finances?

A JUDGE GOT RICH WITHOUT SPENDING A CENT – NOW HE HAS BEEN FIRED

The Supreme Administrative Court has dismissed long-serving judge M.CH. after he failed to credibly explain the appearance of nearly €700,000 in his bank account – money he claimed did not belong to him.

The court upheld an earlier disciplinary ruling that found M.CH.'s asset declarations were repeatedly incomplete, misleading, and inconsistent with his income, according to SME. Presiding judge Monika Valášiková stated on Tuesday that M.CH. had not dispelled doubts over the lawful origin of his wealth and had misled oversight bodies over a number of years.

"This is a judge with nearly 30 years of experience. It is highly unlikely he was incapable of filing a proper asset declaration," Valášiková said. The panel concluded that M.CH. had repeatedly made untrue statements and failed to correct them, even after being given multiple opportunities.

M.CH., who served at the Bratislava Regional Court, did not attend the final hearing. His legal representative, Rastislav Palovič, said his client was prepared for the result but described the ruling as a "dangerous precedent". An appeal to the Constitutional Court may follow, but the dismissal is final and President Peter Pellegrini is expected to formally remove M.CH. from office in the coming days.

The judge's financial conduct had raised concerns since early 2023, when the Judicial Council under then-chair Ján Mazák flagged anomalies in his declarations. A 2021 statement listed €670,000 in bank accounts, which M.CH. claimed were earmarked as a future inheritance for his children – supposedly from living grandparents.

When questioned further, he provided shifting explanations. One included a story about a family dispute, after which he and his brother were allegedly asked to return all the money their parents had ever spent on them. No clear evidence supported this claim.

The court also noted that, in several years, M.CH.'s account saw no withdrawals and in some cases increased beyond his official salary. He insisted he lived off contributions from his parents and in-laws, claiming: "At the time, we practically

didn't eat." He later clarified this was meant figuratively, explaining that his wife spent time with family in Košice and he often stayed at a cottage.

He further claimed that family and friends covered expenses such as holidays abroad, a mobile phone plan, transport, and even the family's cottage, which he said had been a gift from a doctor.

The court found these explanations unconvincing. "Judges must not lie when dealing with public authorities," Valašíková said. "Honesty and trustworthiness are essential to judicial office."

The ruling was unanimous.

14. Are the following statements true or false?

- a) The disciplinary ruling against M.CH. was overturned by the Supreme Administrative Court.
- b) M.CH. misled oversight bodies over several years according to the presiding judge.
- c) The dismissal of M.CH. is final, although an appeal to the Constitutional Court may be filed.
- d) The court observed that M.CH. frequently withdrew large amounts of money from his account.
- e) The ruling being unanimous means the decision was split and required a majority vote.

15. Finish the following sentences based on the text above:

- a) Judge M.CH. was dismissed because he failed to explain
- b) The dismissal is final, and President Pellegrini
- c) The court emphasised that professional judges must not
- d) M.CH. further claimed that family and friends covered

C. WRITING

16. Write a short paragraph explaining which of the above-mentioned legal professions you would like to pursue after graduating from law school. Include the reasons for your choice and describe what interests you most about that profession.

17. Write a short essay discussing the following open-ended sentence: "To be a successful lawyer, the person needs to...".
18. Write a summary of the judge M.CH. case.

D. SPEAKING

19. **ROLE-PLAYS:** Work in pairs and role-play the following scenarios.
- a) **SCENARIO 1:** At a university job fair, a final-year law student (student A) approaches a stand offering career guidance in the legal profession. The career advisor (student B) asks the student about his/her interests, strengths, and long-term career goals and describes legal professions such as judge, prosecutor, attorney, notary, and executor, including typical duties. The student describes his/her interests (for example, advocacy, legal analysis, public service, or job stability), explains which professions he/she is considering and why, and asks about work – life balance, career prospects, and the length and difficulty of professional training.
- b) **SCENARIO 2:** The *Judge M.CH.* case has already been decided by the Slovak Supreme Administrative Court. Student A is a journalist and Student B is the presiding judge of the panel that decided the case. The journalist asks questions about the case, such as what the case was about, what legal issues the court considered, and why the court decided as it did. The presiding judge answers the questions clearly and professionally, explains the court's decision in simple terms, and comments on the importance of the case for the judiciary.
20. **PRESENTATION:** Prepare a presentation about any of the following topics:
- a) Largest law firms currently operating in Slovakia.
- b) Skills every successful lawyer needs.

E. TRANSLATION

21. Translate the following sentences:
- a) Advokát je zapísaný v zozname advokátov, ktorý vedie Slovenská advokátska komora.

- b) Prokurátor zastupuje štát v trestnom konaní a predkladá dôkazy proti obžalovanému.
- c) Prokurátor dohliada na zákonnosť vyšetrovania trestných činov.
- d) Sudca rozhoduje o spore na základe predložených dôkazov.
- e) Sudca musí byť pri svojom rozhodovaní nezávislý a nestranný.
- f) Hlavnou úlohou exekútora je vymáhať dlhy a zabezpečovať plnenie povinností, ktoré boli uložené súdnym rozhodnutím.
- g) Notár overil podpis darcu na darovacej zmluve, ktorá sa týkala nehnuteľnosti.

GENERAL THEORY OF LAW (CHAPTER 1)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. statutory law	a) law developed by courts through written opinions, as opposed to statutes or regulations.
2. equitable remedy	b) a judicial decision that establishes a legal principle or rule which a court must follow when deciding later cases with similar facts or issues.
3. case law	c) the doctrine that courts must follow previous judicial decisions when the same points arise again in litigation
4. precedent	d) a body of law developed to supplement the common law, providing remedies and principles based on fairness, conscience, and justice where strict common-law rules would lead to unjust outcomes.
5. stare decisis	e) refers to non-binding legal sources that a court may consider but is not required to follow. This includes, for example, decisions of lower courts, dissenting opinions, and decisions of courts in other jurisdictions.
6. legislature	f) the essential reasoning or underlying legal rule that forms the foundation of a judicial decision; it is the part of the judgment that has binding force
7. persuasive authority	g) a remark or observation in a judicial opinion that is not essential to the court's decision.
8. ratio decidendi	h) legal rules created through the legislative process, as opposed to

	judge-made law or administrative regulations. It consists of statutes that have been formally passed and codified.
9. obiter dictum	i) non-monetary remedies granted by courts of equity when damages (a legal remedy) would be inadequate to achieve justice.
10. Law of Equity	j) the branch of government responsible for making laws, representing the electorate, and overseeing the executive; it is distinct from the executive branch (which enforces laws) and the judiciary (which interprets laws).

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) A/An _____ is a judge's remark made in passing, not essential to the decision.
- b) A lower court decision may have _____, influencing but not binding the court.
- c) _____ allows courts to provide fair remedies where strict legal rules are inadequate.
- d) _____ – rules developed by courts through written decisions, rather than through statutes or regulations.
- e) _____ include orders like injunctions or specific performance, beyond monetary damages.
- f) Laws formally enacted by the legislature are called _____.
- g) The principle of _____ obliges courts to follow established rulings of higher courts.
- h) A prior judgment that guides courts in later cases is known as a _____.
- i) The _____ is the legal reasoning that forms the binding part of a judgment.
- j) The _____ is the branch of government empowered to make, amend, and repeal laws.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO SET	precedence over
TO DISTINGUISH	statutes and regulations
TO ENACT	to prior judgments
TO ADHERE	the case from
TO TAKE	previous decisions
TO BE BINDING	new precedents
TO OVERTURN/OVERRIDE	upon future cases

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) Parliament has the constitutional authority to that bind all citizens within its jurisdiction.
- b) The Court of Appeal in similar cases.
- c) In this case, earlier decisions over the wording of the Act.
- d) The judge from the cited precedent by referring to key differences in the facts.
- e) Last year, the Supreme Court that had been followed for many years.
- f) The ruling that lower courts are already starting to apply.
- g) As a result, the decision is..... upon future cases involving similar legal issues.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

A common legal system is a legal system that gives great potential precedential weight to common law, on the principle that it is **(1)** to treat similar facts differently on different occasions. The body of precedent is called "common law" and it **(2)** future decisions. In cases where the parties disagree on what the law is, a common law court looks to past precedential decisions of relevant courts. If a similar dispute has been resolved in the past, the court is usually bound to follow the **(3)** used in the prior decision (this principle is known as **(4)**). If, however, the court finds that the current dispute is fundamentally distinct **(5)** all previous cases, judges have the **(6)** to depart from the cited precedent, in which case they use the method called **(7)** for avoiding that precedent.

1. A) binding	B) equitable	C) unfair	D) just
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2. A) conditions	B) appeals	C) qualifies	D) binds
3. A) report	B) reasoning	C) discretion	D) meaning
4. A) obiter dictum	B) stare decisis	C) ratio decidendi	D) inter alia
5. A) off	B) by	C) over	D) from
6. A) authorisation	B) interest	C) concern	D) authority
7. A) distinguishing	B) overlapping	C) abolishing	D) removing

6. PREPOSITIONS: Fill in the gaps with the missing preposition from the following list: *BEFORE, BETWEEN, BY, ON (2x), OF, WITHIN, WITHOUT*

Common law functions as an adversarial system, a contest (1) two opposing parties (2) a judge who moderates. A jury of ordinary people (3) legal training decides (4) the facts of the case. The judge then determines the appropriate sentence based (5) the jury's verdict. In a **civil legal system**, the judge's role is to establish the facts (6) the case and to apply the provisions of the applicable code. Though the judge often brings the formal charges, investigates the matter, and decides on the case, he or she works (7) a framework established (8) a comprehensive, codified set of laws.

7. Fill in the gap with the words derived from the words in brackets.

As a (1)..... (**law**) system, civil law refers to a framework based primarily on (2) (**to write**) codes and statutes, rather than on judicial (3) (**to decide**), which play a central role in common legal systems. The emphasis is on the systematic organisation of legal rules within comprehensive (4) (**legislation**) codes.

In civil law jurisdictions, judges play a more (5) (**to investigate**) role during proceedings. Their task is to ensure the (6) (**applicable**) of the law to the facts of the case, rather than the (7) (**to interpret**) of earlier court rulings. As a result, (8) (**judiciary**) decisions are not generally binding on other courts, although they may still be taken into account.

The civil law tradition originated from the (9) (**to revive**) of Roman law in the Middle Ages and was later shaped by major movements of (10) (**to codify**), including the Napoleonic Code and other historic civil codes.

Today, civil law remains the most widely (11) (**to adopt**) legal system in the world and continues to have a significant (12) (**effective**) on legal development in many jurisdictions.

8. Fill in the gaps with the words from the list: *judges, codes, less, rules, beyond, source, more, reasoning; serve, case-by-case, through, codified, therefore, interpreting, explicitly*

Precedent serves as a legally binding -1- in common law systems. -2- what is contained in legislation, -3- have authority to interpret and develop the law; judicial decisions and case law are therefore the main sources of authority for legal -4- . Legal -5- are developed on a case-by-case basis through precedent, in contrast to civil law systems. Common law system often places -6- emphasis on legal certainty derived from comprehensive -7- and greater emphasis on flexibility and adaptability. As a result, common law systems may be -8- responsive to social change than civil law systems.

In civil law systems, the primary sources of law are statutes, which are -9- codified in comprehensive legal codes. Judges are responsible for -10- and applying written law, and judicial decisions do not -11- as binding precedent. Legal rules are not developed on a -12- basis -13- precedent, as is typical of common law systems.

Civil legal regimes sometimes give legal predictability and certainty a high weight because laws are expressed -14- in codes and legislation. It might -15- be less adaptable than common legal systems.

9. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by focusing on expressions in bold into plain English.

- a) The basic purpose of the law of equity is to provide justice and fairness by **equitable remedies**.

- b) **Courts of first instance** do not usually issue precedents, although they may have **persuasive value**.

- c) Unlike damages, equitable remedies are **discretionary** and not available as of right.

- d) The court confirmed that legislation remains the primary source of legal authority in this area.

10. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

The common legal system is a legal system that developed in England and is based largely on judicial decisions and binding precedents established by higher courts. In common law jurisdictions, courts are generally required to (1) prior judgments, unless a higher court chooses to (2) earlier decisions or a judge is able to (3) a

case on the facts. Courts use case law to interpret (4) when the statutory language is ambiguous and in areas where there is no legislation, case law governs.

Judges in common legal systems play an active role in shaping the law. Through their rulings, courts may (5) new precedents that are binding (6) future cases. Remedies granted by the courts may include damages as well as (7) remedies, which are discretionary and depend on the circumstances of each case.

By contrast, the civil law system is based primarily on written codes and statutes, which serve as the primary (8) of legal authority. Legislation is typically (9).... and adopted by Parliament and is intended to regulate legal relationships in a comprehensive manner. In civil law jurisdictions, judges focus on (10) the law to the facts and judicial decisions do not (11) binding precedent. Although court decisions in civil legal systems are not usually binding, they may still have (12) value in later cases.

B. READING

11. WARM-UP QUESTIONS: You are going to read a text about the role of a jury in common legal and civil legal system. Answer the following questions first:

- a) Have you ever seen a jury trial in a film, TV series, or real life? What role did the jury play?
- b) Who do you think should decide whether a defendant is guilty: a judge or a group of ordinary citizens? Why?
- c) What do you think the main advantages of having a jury in criminal trials might be?
- d) Can you think of any disadvantages of jury trials, especially in complex or technical cases?
- e) Do you know whether jury trials exist in your legal system? If yes, in what types of cases?
- f) How important do you think public participation is in the administration of justice?

Role of a Jury in Common Legal and Civil Legal Systems

The jury is a key institution in many common legal systems and plays a central role in criminal trials within an *adversarial system of justice*, in which the prosecution and the defence present their cases before an impartial tribunal. Traditionally, a jury consists of ordinary citizens who are selected to decide *questions of fact*, while the judge is responsible for directing the trial and determining *questions of law*. This division

reflects a fundamental principle of the common legal system, namely public participation in the administration of justice.

In common law jurisdictions such as England and the United States, jury trials are most commonly used in serious criminal cases, although they may also appear in certain civil proceedings. The jury listens to the evidence presented by both sides, assesses the credibility of witnesses, and ultimately delivers a verdict based on the facts of the case. Judges, by contrast, provide legal guidance, ensure that the trial is conducted fairly, and impose sentences where appropriate.

By contrast, civil law systems are based on an *inquisitorial system of justice*, in which professional judges play an active role in establishing the facts and applying the law, and jury trials are generally absent. Judges often take a more active role in the proceedings, questioning witnesses directly and managing the collection of evidence. As a result, there is less emphasis on lay participation and a greater focus on judicial expertise.

The limited use of juries in civil legal systems reflects broader differences in legal tradition and procedure. Civil legal systems tend to prioritise efficiency, consistency, and the systematic application of codified rules. The involvement of non-professional decision-makers is therefore often seen as unnecessary or impractical. Some civil law countries do, however, allow lay judges or mixed tribunals in certain types of cases, particularly in criminal or labour law.

12. Are the following statements true or false?

- a) In common legal systems, juries decide both questions of fact and questions of law.
- b) Jury trials are commonly used in serious criminal cases in common law jurisdictions.
- c) In common law trials, judges usually determine the verdict based on the evidence.
- d) Judges in civil law jurisdictions play a passive role during trials.
- e) Civil legal systems generally rely on professional judges rather than juries.
- f) Civil legal systems place greater emphasis on codified legal rules than on lay participation.
- g) No civil law countries allow non-professional participants in certain types of cases.
- h) The use of juries reflects the principle of public participation in the administration of justice.

13. Finish the following sentences based on the text about jury in common legal system and civil legal system:

- a) In common legal systems, the jury is responsible for deciding
- b) The judge in a jury trial mainly ensures that
- c) Jury trials in common legal jurisdictions are mainly used in
- d) Unlike common legal systems, civil law systems generally do not use juries because
- e) In civil legal jurisdictions, judges play a more active role by
- f) The limited use of juries in civil legal systems reflects
- g) Although juries are not common in civil legal systems, some countries

C. WRITING

14. Comparative Summary

Write a short comparative summary (120 – 150 words) explaining the main differences between the common legal system and the civil legal system. You must refer to sources of law, the role of judges, the importance of precedent. Use at least FOUR of the following expressions:

- a) judicial decisions
- b) binding precedent
- c) written statutes and regulations
- d) apply the law to the facts
- e) take precedence
- f) primary source of legal authority
- g) interpret the law

15. Legal Advice (functional writing)

A defendant charged with an either-way offence in England and Wales must decide whether to consent to trial in the Magistrates' Court or to elect trial in the Crown Court. Write a short piece of legal advice (100 – 130 words) explaining the key differences between trial by a professional judge (or magistrates) and trial by

jury and recommending one of the options. Focus on using a professional and objective tone and on expressing a legal opinion in appropriate legal language. Avoid personal or emotional language and support your recommendation with clear legal reasoning. Use at least **THREE** of the following collocations:

- a) decide questions of fact
- b) assess credibility
- c) deliver a verdict
- d) present evidence
- e) direct the trial
- f) apply the law to the facts

D. SPEAKING

16. ROLE-PLAYS: Work in pairs and role-play the following three scenarios.

SCENARIO 1: Introducing Jury Trials. A government official (Student A) consults a legal reform advisor (Student B) about introducing jury trials in serious criminal cases within a civil law system. The official asks questions about how jury trials function in common law systems, while the advisor explains the role of juries, outlines advantages and disadvantages, and gives a recommendation.

Student A: Questions

- How do jury trials operate in common law systems?
- What is the role of the jury?
- What is the role of the judge?
- Which serious criminal cases involve juries?

Student A: Concerns

- Jurors do not have legal training.
- Verdicts may be influenced by emotions or media.
- Jury trials can be lengthy and costly.
- This model may not fit a civil law system.

Student B: Advantages

- Jury trials allow public participation
- They increase transparency in criminal justice
- Verdicts may seem more legitimate
- They limit the power of the state.

Student B: Disadvantages & Recommendation

- Jurors may struggle with complex evidence
- Trials are more expensive than judge-led case.
- Decisions may be inconsistent.
- Recommend limited use of jury trials
- Apply only to the most serious crimes.

SCENARIO 2: Comparing Court Procedures. A legal trainee (Student A) asks a judge (Student B) to explain how criminal cases are decided in a civil law system. The judge explains the absence of juries, the active role of professional judges, and compares this procedure with jury trials in common law systems.

Student A: Questions

- How are criminal cases decided in a civil law system?
- What is the role of professional judges in criminal proceedings?
- Why are juries not used in civil law systems?
- Who decides the facts and who applies the law?
- How does this system differ from jury trials in common law countries?

Student A: Concerns

- There is limited public participation in criminal trials.
- Too much power may be concentrated in the hands of judges.
- Decisions may lack transparency for the public.
- The system may appear less democratic than jury trials.

Student B: Advantages (Civil Law System)

- Criminal cases are decided by legally trained professional judges.
- Judges play an active role in examining evidence and witnesses.
- Proceedings are usually faster and more efficient.
- Decisions are more consistent and predictable.
- Judgments include clear legal reasoning.

Student B: Disadvantages & Comparison

- The public does not directly participate in decision-making.
- The system may feel distant to ordinary citizens.
- In common law systems, juries represent public participation.
- Jury trials can increase legitimacy but may involve emotional decisions.
- Jury trials are often longer and more expensive.

SCENARIO 3: Jury or Judge? A defendant (Student A) discusses trial options with a defence lawyer (Student B). The defendant asks whether they would be better tried by a jury or by a judge, and the lawyer explains the key differences, advantages, and risks of each option.

Student A: Questions (Defendant)

- Would it be better for me to be tried by a jury or by a judge?
- What is the main difference between a jury trial and a judge-only trial?
- Who decides the facts in each type of trial?
- Which option gives me a better chance of a fair trial?
- How does public opinion affect jury trials?

Student A: Concerns (Defendant)

- I am worried that a jury may be influenced by emotions.
- I am concerned about media attention in a jury trial.
- I do not want the trial to take too long.
- I am afraid of an unpredictable verdict.

Student B: Advantages (Defence Lawyer)

- A jury trial allows ordinary people to decide the facts.
- Juries may be more sympathetic to the defendant.
- A judge-only trial is usually faster and more efficient.
- Professional judges are legally trained and experienced.

Student B: Risks & Advice (Defence Lawyer)

- Jurors may misunderstand complex legal or technical evidence.
- Jury verdicts can be emotional and less predictable.
- A judge may focus strictly on legal rules and evidence.
- The best option depends on the facts of the case.
- I would recommend choosing the trial type carefully.

17. PRESENTATION: Prepare a presentation about any of the following topics:

- a) Hybrid legal systems: case Canada
- b) Religious legal systems

E. TRANSLATION

18. Translate the following sentences:

- a) Existujúca judikatúra podporuje záver, ku ktorému súd dospel.

- b) Písané právo zahŕňa zákony a iné právne predpisy prijaté zákonodarným zborom.
- c) Súd považoval odkazy na relevantné precedensy za primerané.
- d) Rozhodnutie je v súlade s doterajšou rozhodovacou praxou.
- e) Rozhodnutie vychádza z platnej a účinnej právnej legislatívy.
- f) Výklad zákona navrhovaný žalovaným nebol súdom akceptovaný.
- g) Rozhodnutie vydané najvyšším súdom má spravidla silné záväzné účinky.
- h) Nižší súd sa odmietol odchýliť od existujúceho precedensu, hoci skutkové okolnosti boli mierne odlišné.
- i) Sudca pri rozhodovaní prípadu uplatnil ustanovenia Zákona o kybernetickej bezpečnosti, pričom zároveň zohľadnil relevantnú judikatúru.
- j) Právny zástupca argumentoval, že predmetná regulácia je v rozpore s existujúcimi súdnymi rozhodnutiami.
- k) Cieľom písaného práva je zabezpečiť jasnosť, presnosť a predvídateľnosť právnej úpravy.
- l) Ak zákon neposkytuje jasnú odpoveď, súd sa môže oprieť o súdnu prax a precedensy.
- m) Právo ekvity dopĺňa písané právo tam, kde by jeho striktné uplatnenie viedlo k nespravodlivosti.

- n) O poskytnutí opravných prostriedkov podľa práva ekvity rozhoduje súd na základe svojej úvahy.

GENERAL LEGAL THEORY (CHAPTER 2 AND 3)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. dispute	a) an act or omission that is punishable by law; a crime or minor criminal wrongdoing
2. Speaker	b) a public body or official with the legal power to make decisions, enforce the law, or give orders
3. amendment	c) a draft law that has been formally introduced in Parliament but has not yet become law
4. authority	d) the person who presides over a legislative chamber and controls debates, procedures, and voting
5. Bill	e) the date on which an Act of Parliament or a specific provision of it comes into legal force
6. Commencement Date	f) a formal change, addition, or deletion proposed to a Bill or an existing piece of legislation
7. offence	g) behaviour that causes or is likely to cause damage, injury, or loss to individuals
8. harmful conduct	h) a disagreement or conflict between parties, especially one that may be resolved by legal means

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) Failure to submit a tax return within the statutory deadline may constitute a/an _____.

- b) Acting as the competent _____, the energy regulator ordered the operator to comply with the rules after an inspection.
- c) The _____ is currently going through Parliament after being introduced in response to regulatory pressure.
- d) When the debate became heated, the _____ stepped in and required members to follow the rules of procedure.
- e) Although the Act was passed last year, it will not take effect until its _____ later this spring.
- f) A/An _____ to the Act on Consumer Protection was proposed to strengthen enforcement powers.
- g) Misleading consumers about product safety can amount to _____ if it exposes them to unnecessary risk.
- h) The contract contains a clause specifying how any _____ between the parties is to be settled.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO SPONSOR	rights
TO GRANT	disputes
TO RESOLVE	an offence
TO CONSTITUTE	amendments
TO ENFORCE	a bill
TO MAKE	Royal Assent

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) The bill only became law once the monarch _____.
- b) A Senator agreed to _____ a/an _____ aimed at reforming federal election law.
- c) Courts are responsible for _____ individual _____ where they have been unlawfully restricted.
- d) During the committee stage, Parliament agreed to _____ *to the bill*.
- e) The judge concluded that the defendant's conduct did _____ a/an _____ under the relevant criminal statute.
- f) The parties attempted to _____ the _____ through negotiation before starting court proceedings.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

Making laws in the UK

It is possible for any of the members of the House of Commons to (1) a private member's Bill. Unless the government supports the idea by not opposing it then the Bill has little chance of (2). If given a prior (3), a member may speak in favour of the presentation of the Bill for ten minutes after Question Time, which ensures publicity. Parliament also debates private Bills. These are sponsored by local authorities, public corporations and large public companies. Obviously, they are designed to (4) only legal position of the private sponsor. Bills can be presented in either of the Houses of Parliament, but they must (5) both.

1. A) give	B) introduce	C) file	D) serve
2. A) enactment	B) refusal	C) repeal	D) amendment
3. A) pass	B) leave	C) denial	D) rejection
4. A) enforce	B) affect	C) cause	D) amend
5. A) compass	B) bypass	C) pass	D) follow

6. PREPOSITIONS: Fill in the gaps with the missing preposition from the following list: AS, BETWEEN, BY (2x), FROM, IN, OF, TO (4x), WITH (2x)

Substantive law consists (1) written statutory rules passed (2) legislature that govern how people behave. These rules, or laws, define crimes and set forth punishment. They also define our rights and responsibilities (3) citizens. There are elements of substantive law (4) both criminal and civil law. Civil law differs (5) criminal law in that it applies (6) interactions (7) citizens. Rather than dealing (8) crime, civil law deals (9) tort, or actions that aren't necessarily illegal but can be proven to be damaging in some way.

Procedural law governs the mechanics of how a legal case flows, including steps to process a case. Procedural law adheres (10) due process, which is a right granted (11) U.S. citizens (12) the 14th Amendment. Due process refers (13) the legal rights owed to a person in criminal and civil actions. It is one of the 14th Amendment rights and guarantees the right to life, liberty and the pursuit of happiness.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
	TO GOVERN	RELATION	
PUNISHMENT			TO REGULATE
COMMENCEMENT			TO PROPOSE

	TO PROVIDE	CONSIDERATION	
COMPLIANCE		AMENDMENT	
QUORUM ^x		PROMULGATION	

^x use a verb-noun form

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- The Bill is currently under _____ in Parliament before it moves to the next stage.
- This provision does not _____ to criminal law but falls within the scope of civil law.
- A/An _____ was proposed in order to clarify the duties of public authorities in the applicable statute.
- At least half of the members must be present in order to _____ before the committee can vote.
- Once a law is formally adopted, it must be _____ before it can take legal effect.

9. Fill in the gap with the words derived from the words in brackets.

What are divisions, and when do they take place?¹

Each item of business that MPs **(1)**..... **(consideration)** in the Commons – be they motions or pieces of legislation – is framed in terms of a question. At the end of a debate, that question is “put” by whoever is **(2)** **(to chair)** the debate (usually the **(3)** **(to speak)**) to MPs.

At first, MPs **(4)** **(indication)** whether they agree or disagree by shouting “aye” or “no”, when **(5)** **(invitation)** to by the chair of the debate. If one side is clearly **(6)** **(loud)** than the other, and it is clear what the position of MPs is, then the Speaker declares that either the ayes or the noes “have it” – in other words, that that particular side has won. This is known as voting “on the voices”.

But sometimes, if shouts of the ayes and noes are evenly matched, and it is not obvious what the position of MPs is, then the Speaker will call for a “division” – the **(7)** **(parliament)** term for a formal vote.

Divisions **(8)** **(involvement)** MPs casting a vote by physically walking down one of two corridors on either side of the main Commons chamber: either the “aye” lobby or the “no” lobby. In this sense, the House literally divides.

The Speaker **(9)** **(announcement)** a division by shouting “clear the lobby”. A system of bells will ring across the entire parliamentary estate so that MPs who are not in the chamber but may be in other parliamentary buildings know there is a **(10)**

¹ <https://www.instituteforgovernment.org.uk/explainer/votes-house-commons>

..... **(voting)**. MPs have 10 minutes to make it to the lobbies to ensure that their vote will be counted (or eight minutes if it's the second or subsequent vote in a series). After 10 minutes, the doors to the lobbies will be locked, and MPs will not be able to get in to cast their vote.

10. Fill in the gaps with the words from the list: *order, votes, amendments, take, discuss, spread, reprinted, stage, detailed, reading*

Report stage (House of Lords)

Report stage gives all members of the Lords an opportunity to examine and make - **1-** (i.e. changes) to a bill.

It usually starts **14** days after committee stage has concluded and can be - **2-** over several days (but is generally shorter than committee stage).

Before report stage begins, amendments are gathered together and placed in - **3-**, then published in the 'marshalled list'. Updated lists are produced before the start of each day of committee - **4-** .

During report stage - **5-** examination of the bill continues. Any member of the Lords can take part and - **6-** on any amendments may - **7-** place.

After report stage, the bill is - **8-** to include all the agreed amendments. The bill then moves to third - **9-**, a further chance for the Lords to - **10-** and amend the bill as it nears conclusion.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

a) The amendment will **enter into force** on 1 July.

b) The Bill was approved by Parliament but has not yet been **granted Royal Assent**.

c) The committee was unable to vote because it **failed to constitute a quorum**.

d) The regulation applies to all persons **acting under statutory authority**.

e) The court found that the defendant's conduct **constituted an offence** under criminal law.

f) The matter will be reviewed by the competent authority **in accordance with applicable legislation**.

- g) Parliament has the power **to amend the existing legal framework** governing elections.

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

Established by Article I of the U.S. Constitution, the Legislative Branch **(1)** of the House of Representatives and the Senate, which together form the United States **(2)**. The Constitution **(3)** Congress the sole authority to **(4)** legislation and declare war, the right to confirm or reject many Presidential appointments, and substantial investigative powers. Members of the House are **(5)** every two years and must be 25 years of age, a U.S. **(6)** for at least seven years, and a resident of the state (but not necessarily the district) they represent.

The Senate has the sole power to **(7)** those of the President's appointments that require consent, and to ratify treaties. In order to **(8)** legislation and send it to the President for his signature, both the House and the Senate must pass the same bill by majority **(9)**. If the President vetoes a bill, they may **(10)** his veto by passing the bill again in each chamber with at least two-thirds of each body voting in favour.

B. READING

13. WARM-UP QUESTIONS: You are going to read a text about changes proposed to US Congress elections. Answer and discuss the following questions:

- a) Who normally has the power to make or change laws in a democratic system?
- b) What is the difference between making a law and applying or enforcing a law?
- c) Do rules on elections and voting belong to public law or private law? Why?
- d) What is the role of Congress in the United States?

Virginia Democrats move to change congressional map

Virginia's Senate, which is controlled by Democrats, has approved a constitutional amendment that would allow lawmakers to redraw the state's congressional lines. The amendment would still need to be approved by voters. If adopted, it could give Democrats up to four additional seats in the U.S. House of Representatives.

This move is part of a wider national dispute over redistricting between Democrats and Republicans ahead of the November midterm elections. Control of Congress is at stake. Democrats need to gain only three seats to secure a majority in the 435-member House, which makes redistricting politically important.

The amendment had already been approved earlier this week by the Virginia House of Delegates, the lower chamber of the state legislature. Lawmakers are expected to

call a special election in the spring. Before that, they plan to publish a proposed new map so voters can consider its impact.

At present, Democrats hold six of Virginia's eleven congressional seats. Under a new map, they could potentially hold as many as ten.

A constitutional amendment is required because voters approved an earlier amendment in 2020 that created an independent redistricting commission. That commission currently has authority to draw congressional districts. Under the new proposal, lawmakers would temporarily regain this power until 2030, but only if other states redraw their maps first. After 2030, authority would return to the commission.

Republican lawmakers criticised the proposal, arguing that Democrats were acting for political reasons rather than principle. One Republican senator said the amendment was aimed at weakening President Trump's influence.

Democrats responded that the amendment was an emergency measure. They said it was necessary because President Trump had encouraged Republican-led states to redraw their congressional maps in the middle of the decade, which is unusual.

Redistricting normally takes place every ten years after new U.S. Census data is released. However, Trump pushed for new maps this year, beginning with Texas, where Republicans adopted a plan targeting several Democratic representatives.

Other states reacted in response. California Democrats proposed a map affecting Republican-held seats, and similar actions followed elsewhere. Some states resisted these pressures. In Indiana, Republican lawmakers rejected a redistricting proposal despite support from the White House.

Recent actions in states such as Virginia and California have reduced what initially appeared to be a strong Republican advantage. Meanwhile, Florida's Republican governor has announced that redistricting will be considered there in April, a move that could benefit Republicans by several seats.

14. Are the following statements true or false?

- a) The Virginia Senate approved a constitutional amendment that would allow lawmakers to redraw congressional districts.
- b) The amendment can take effect without approval by voters.
- c) Democrats currently hold more than half of Virginia's seats in the U.S. House of Representatives.
- d) The House of Delegates rejected the proposed amendment.
- e) Under the proposal, lawmakers would permanently replace the independent redistricting commission.

- f) Redistricting normally takes place after new U.S. Census data is released.
- g) Democrats say the amendment is necessary because other states have recently changed their electoral maps.
- h) Republicans support the amendment as a neutral legal reform.

15. Finish the following sentences based on the text about changes proposed to US Congress elections:

- a) The constitutional amendment approved by the Virginia Senate would allow lawmakers to
- b) The amendment must still be approved by voters before it can
- c) Lawmakers plan to publish a proposed new congressional map so that voters can
- d) A constitutional amendment is required because voters previously decided to
- e) Under the proposal, lawmakers would regain the power to redraw congressional districts, but this power would
- f) Redistricting usually takes place after

C. WRITING

16. COMPARATIVE WRITING (UK / USA / Slovakia). Describe how an act is made in ONE of the following countries, the United Kingdom, the United States, Slovakia. Write 90 – 120 words and mention who proposes a law, who approves it, when it becomes legally effective. Use at least 5 legal terms (e.g. *Bill, Parliament, Congress, approve, chambers, promulgate, enter into force, enactment, consider, pass, take vote...*).

17. PLAIN ENGLISH FOR NON-LAWYER (practical skill) Explain to a non-lawyer how laws are made in Slovakia. Write 70 – 90 words. Do not use complex legal terms. Imagine you are explaining this to a foreign student.

D. SPEAKING

18. ROLE-PLAYS: Work in pairs and role-play the following three scenarios.

a) SCENARIO 1: How is a law made? (UK / USA / Slovakia)

Student A is a law student from the United Kingdom, the United States, or Slovakia. Explain how a law is made in your country (who can propose a law, which institution debates and approves it, and when the law becomes legally effective).

Student B is an exchange student who is not familiar with the legislative process. Listen carefully and ask follow-up questions to clarify the explanation. Ask about who signs the law, whether the law can be vetoed, and what happens if the proposed law is not approved.

Useful phrases: *In my country, laws are usually proposed by ..., The draft law is then debated in ..., After approval, the law is signed by ..., The law enters into force when ..., If the law is not approved, ..., The main difference is that ...*

b) SCENARIO 2: Explaining the law in plain English

Student A is a lawyer. Your task is to explain basic legal concepts in simple language.

Student B is a member of the public who has no legal background.

Student B asks about one or more of the following: what a Bill is, the difference between civil and criminal law, or why a law does not apply immediately after being approved. Student A must answer without using complex legal terms and tries to give clear examples.

Useful phrases: *In simple terms ..., This means that ..., Basically, the difference is ..., A good example is ..., So, in practice ...*

c) PRESENTATION: Prepare a presentation about any of the following topics:

a) Areas and division of law.

b) Operation of Federal Agencies During a Government Shutdown in the United States.

E. TRANSLATION

Translate the following sentences:

a) Návrh zákona môže byť v Slovenskej republike predložený poslancami Národnej rady, vládou alebo výbormi parlamentu.

- b) Počas prvého čítania sa vedie všeobecná rozprava o účele a základných princípoch návrhu zákona, bez možnosti navrhovať pozmeňujúce návrhy.
- c) V druhom čítaní výbory posudzujú, či je návrh zákona v súlade s Ústavou Slovenskej republiky, zákonmi a právom Európskej únie.
- d) V praxi sa väčšina pozmeňujúcich návrhov predkladá práve počas druhého čítania.
- e) V treťom čítaní môžu poslanci navrhovať už len opravy gramatických alebo pravopisných chýb.
- f) Aby bol zákon schválený, je potrebná nadpolovičná väčšina prítomných poslancov.
- g) Zákon nadobúda platnosť jeho vyhlásením v Zbierke zákonov Slovenskej republiky, pričom účinnosť spravidla nastáva pätnástym dňom po vyhlásení
- h) Hmotné právo vymedzuje práva a povinnosti jednotlivcov a právnických osôb, zatiaľ čo procesné právo upravuje spôsob ich uplatňovania a ochrany.
- i) Princíp právneho štátu predpokladá, že verejná moc sa vykonáva výlučne na základe zákona.
- j) Občianske právo procesné poskytuje jednotlivcom nástroje na vymáhanie ich práv pred súdom.
- k) Procesné právo umožňuje účastníkom konania efektívne riešiť spory prostredníctvom súdneho konania.

- l)** Cieľom súkromného práva je zabezpečiť ochranu subjektívnych práv a právnu istotu účastníkov právnych vzťahov.
- m)** Podľa Civilného sporového poriadku (zákon č. 160/2015 Z.z.) majú súdy právomoc rozhodovať spory vyplývajúce zo súkromnoprávných vzťahov.
- n)** Mimovládne organizácie zohrávajú dôležitú úlohu pri presadzovaní dodržiavania princípov právneho štátu.

GENERAL LEGAL THEORY (CHAPTER 4)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. municipality	a) the legal authority of a court to hear and decide a case. It may depend on the type of case, the geographical area, or the level of the court
2. court action	b) the actual events and circumstances that occurred and are established by evidence during court proceedings
3. court of first instance	c) a higher court that reviews decisions of lower courts. It usually examines questions of law, not the facts of the case
4. appellate court	d) the court where a case is heard for the first time. It determines the facts of the case and applies the law to reach a decision
5. jurisdiction	e) a local administrative unit, such as a town or city, with its own local government. In some legal systems, it may have local courts or administrative responsibilities
6. facts of the case	f) a formal court session where the parties present arguments, evidence, or legal submissions before a judge
7. hearing	g) a procedural act carried out by a court in the course of judicial proceedings, by which the court exercises its jurisdiction and moves towards a decision on the merits of the case or ensures the proper conduct of the proceedings

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) The case was later examined by an _____, which reviewed the earlier decision.
- b) Unlike a higher court, the _____ considers the case without relying on an earlier judgment.
- c) The dispute involved a _____ that was responsible for local public services.
- d) The judge listened to both sides and examined evidence to understand the _____.
- e) During the _____, both parties explained their positions to the judge.
- f) Any _____ taken by the court must fall within its jurisdiction and comply with procedural rules.
- g) The court could not deal with the dispute because it did not have _____ over the matter.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO DEAL	a case
TO TRY	an appeal
TO GRANT	legal principles
TO ATTEND	a decision
TO DETERMINE	a hearing
TO APPLY	with complex civil cases
TO RENDER	facts of the case

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) Only High Court of Justice has the power to _____, due to its expertise.
- b) The parties were informed that they were required to _____ on the scheduled date.
- c) The Crown Court has jurisdiction to _____ involving serious criminal offences.
- d) Before the dispute could be resolved, the court first _____ based on the available evidence.
- e) The defendant's application was successful, and the Supreme Court _____ on a point of law.

- f) The outcome of the case depended on how the court _____ developed through earlier judgments.
- g) After considering the evidence and submissions, the court _____, bringing the dispute to an end.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

Courts are the final arbiter between the citizen and the state and are (1) a fundamental pillar of the constitution. The Supreme Court was established to achieve a complete (2) between the United Kingdom's senior judges and the Upper House of Parliament. In August 2009 the (3) moved out of the House of Lords into their own building on the opposite side of Parliament Square. They (4) for the first time as a Supreme Court in October 2009. The impact of Supreme Court decisions extends far beyond the parties involved in any given case, shaping our society, and directly (5) everyday lives.

1. A) therein	B) in addition	C) moreover	D) therefore
2. A) separation	B) recognition	C) declaration	D) uniformity
3. A) magistrates	B) Justices	C) judges	D) barristers
4. A) moved	B) sat	C) removed	D) demonstrated
5. A) appealing	B) representing	C) deciding	D) affecting

6. PREPOSITIONS: Fill in the gaps with the missing preposition/adverb/conjunction from the following list: AS, BY, IN, ON, TO (2x), UNLESS, WITH

The Supreme Administrative Court of the Slovak Republic (hereinafter referred (1) as the "Supreme Administrative Court") is the highest judicial body (2) matters of administrative justice, which ensures the unity and legality of decision-making in the administrative justice system. It was established (3) effect from 1 January 2021 (4) Constitutional Act No. 422/2020 (5) amended.

President and the Vice-President of the Supreme Administrative Court shall be appointed and dismissed by the President of the Slovak Republic (6) the proposal of the Judicial Council of the Slovak Republic. Decisions of the Supreme Administrative Court are not subject (7) ordinary appeal (8) the procedural rules provide otherwise.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	VERB	ADJECTIVE
DIVISION		TO ELECT	
	TO NOMINATE		ADMINISTRATIVE
OFFENCE		TO CONSTITUTE	
	TO ASSESS	TO APPEAL	
	TO TRY		INDICTABLE
PRESIDENT	x	TO APPLY	

x verb plus proper preposition

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- The accused was brought to _____ before the district court.
- This regulation shall be _____ only where no special provision provides otherwise.
- Serious criminal offences are _____ and must be prosecuted on indictment.
- The judgment of the court of first instance was reviewed by the _____ court.
- The judge will _____ the hearing and ensure that procedural rules are respected.
- The separation of powers is a fundamental _____ principle.

9. Fill in the gap with the words derived from the words in brackets.

District Judges hear criminal cases, (1)(**young**) cases and also some civil proceedings in Magistrates' courts. They can be (2) (**authority**) to hear cases in the Family Court. Some are authorised to deal with extradition (3) (**proceed**) and terrorist cases. They are also authorised to sit as (4)..... (**to imprison**) adjudicators.

District Judges usually hear cases alone. By virtue of their (5) (**official**) they are Justices of the Peace.

District Judges are (6)(**appointment**) by the King, on the (7) (**recommend**) of the Lord Chancellor, following a fair and open (8) (**compete**) administered by the Judicial Appointments Commission.

The (9)(**statute**) qualification is a five-year right of audience in relation to all proceedings in any part of the Supreme Court, or all proceedings in County Courts or

Magistrates' courts. Additionally, they will have often have **(10)****(service)** as deputy district judges for a minimum of two years or 30 days' **(11)**..... **(to sit)**.

10. Fill in the gaps with the words from the list: *branch, rejects, veto, distinct, overturn, federal, concentration, enacting, implementing, from, laws, respond, office, government.*

Separation of powers refers to the division of government responsibilities into **-1-** branches to limit any one branch **-2-** exercising the core functions of another. The intent is to prevent the **-3-** of power and provide for checks and balances. The legislative branch is responsible for **-4-** the laws of the state and appropriating the money necessary to operate the **-5-**.

The executive branch is responsible for **-6-** and administering the public policy enacted and funded by the legislative **-7-**.

The judicial branch is responsible for interpreting the constitution and **-8-** and applying their interpretations to controversies brought before it.

The ability of each branch to **-9-** to the actions of the other branches is the system of checks and balances.

The president can **-10-** legislation created by Congress. He or she also nominates heads of **-11-** agencies and high court appointees. Congress confirms or **-12-** the president's nominees. It can also remove the president from **-13-** in exceptional circumstances. The Justices of the Supreme Court, nominated by the president and confirmed by the Senate, can **-14-** unconstitutional laws.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

a) Courts **determine the facts and** apply legal principles when resolving disputes brought before them.

b) The court **rendered a written decision** setting out the reasons for its ruling.

c) Under UK criminal law, certain criminal offences are classified as **offences triable either-way**.

d) Municipal courts in Slovakia **have the jurisdiction** to hear and decide cases that were previously dealt with by district courts.

e) The power to nominate judges of higher courts **is vested in the President** of the Slovak Republic.

-
- f) The parties were required **to attend the hearing** on the date set by the court, unless their absence was duly justified.
-

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word. adj- adjective, n-noun, v- verb, pr-preposition, pp-past participle

The Constitutional Court of the Slovak Republic is an independent **(1) (adj)**..... body that protects constitutionality. It ensures that state and local authorities **(2(v))**..... with the Constitution as the supreme law of the state. Through constitutional review, the Court protects fundamental **(3)(n)**..... and freedoms from unconstitutional laws and actions.

State power derives from the **(4)(n)**....., who are the source of sovereignty. The state must act within the limits of law, in accordance with the principle of the rule of **(5) (n)**....., and protect human rights. Power is **(6) (pp)**..... among different bodies under the principle of the **(7)(n)**..... of powers, which ensures checks and **(8)(n)**..... In this system, the Constitutional Court **(9)(n)**..... as the guardian of the Constitution. The Court operates **(10)(pr)**..... the Constitution and the Act on the Constitutional Court of the Slovak Republic.

B. READING

13. WARM-UP QUESTIONS: You are going to read a text about O.J. Simpson case from your textbook. Answer the questions first:

- a) Have you ever heard of the O. J. Simpson trial? What do you already know about this case?
- b) Why do you think some criminal trials become landmark cases?
- c) What is the difference between a criminal trial and a civil trial?
- d) Can a defendant be found not guilty in a criminal case but still be held liable in a civil case? Why or why not?
- e) What role do media and public opinion play in high-profile criminal trials?
- f) Do you think jury decisions can be influenced by social or racial factors?

14. READ THE TEXT FROM YOUR TEXTBOOK.

15. Are the following statements true or false?

- a) O.J. Simpson was convicted of murder in 1995.

- b) Nicole Brown Simpson and Ronald Goldman were killed outside Nicole Brown Simpson's home.
- c) Simpson voluntarily surrendered to the police immediately after being informed of the charges.
- d) The police pursuit of Simpson was broadcast live on national television.
- e) The criminal trial began in January 1995.
- f) The jury deliberated for several weeks before reaching a verdict.
- g) Public reaction to the verdict differed significantly along racial lines.
- h) Simpson faced only criminal charges and no civil proceedings.

16. Finish the following sentences based on the text about O.J. Simpson case:

- a) The O.J. Simpson trial is considered a landmark case because.....
- b) Instead of surrendering to the police, Simpson attempted to.....
- c) The police pursuit attracted public attention because it
- d) At his arraignment, Simpson
- e) The prosecution argued that prior domestic violence was a.....
- f) The jury reached its verdict after.....
- g) Simpson was acquitted in the criminal trial, but later
- h) The civil case was brought by.....
- i) In the civil trial, Simpson was found

C. WRITING

17. Explain the legal concepts of the rule of law, the separation of powers, and judicial review, and illustrate each of them with one example from the judiciary of the United Kingdom, the United States, and Slovakia. Write 180 – 220 words in formal Legal English. Focus on the rule of law, separation of powers, judicial review, checks and balances and judicial independence.

18. Case-based Writing. A statute limiting freedom of assembly has been adopted. Explain how this statute could be reviewed by the judiciary in Slovakia, with particular reference to constitutional review and the role of the Constitutional Court of the Slovak Republic. Write 100 – 120 words in formal legal English. Use the sentence starters in order and link them logically to form a coherent continuous text..

- *Freedom of assembly is a fundamental right protected by*
- *In Slovakia, state power must be exercised in accordance with*
- *If a statute limits this right, it may be reviewed through*

- *Constitutional review in Slovakia is carried out by*
- *The Constitutional Court has the authority to.....*
- *The purpose of constitutional review is to.....*
- *Through its decisions, the Constitutional Court ensures*
- *This process forms part of the system of.....*
- *As a result, individuals are protected against.....*
- *Therefore, judicial review plays an essential role in*

D. SPEAKING

19. ROLE-PLAYS: Work in pairs and role-play the following three scenarios.

Student A acts as a lawyer and student B as a client. The client describes a legal problem and asks which court has jurisdiction and whether an appeal is possible. The lawyer listens carefully, identifies whether the case concerns civil, criminal or family law, and explains which court will hear the case in the given country. The lawyer also explains if an appeal is allowed and which court would decide the appeal. The client may ask one follow-up question for clarification. Choose one scenario and UK, USA or Slovak jurisdiction.

SCENARIO 1: Minor civil dispute.

Background for Student B (Client)

You recently paid a local handyman to repair a kitchen appliance in your home. The repair cost €180, but the appliance stopped working again after only two days. When you contacted the handyman, he refused to fix the problem or return your money. You believe the work was done poorly and unprofessionally, and you would like to recover the money you paid.

You are not sure which court deals with small financial disputes like this in your chosen jurisdiction (the UK, the USA, or Slovakia). You also want to know whether you can appeal the decision if you lose the case.

During the conversation:

- Briefly explain what happened.
- Tell the lawyer how much money is involved.
- Ask the lawyer:
 - Which court has jurisdiction in this case?
 - Which court would hear the case first?
 - Is it possible to appeal the decision?
- At the end, ask one follow-up question (for example about the procedure, time limits, or costs).

Task for Student A (Lawyer)

Listen to the client's explanation and identify the area of law involved.

Explain to the client:

1. Whether the case concerns civil, criminal, or family law.
2. Which court would hear the case first in the chosen jurisdiction (UK / USA / Slovakia).
3. Whether an appeal is possible.
4. Which court would hear the appeal.

Give a clear and simple explanation suitable for a client who does not have legal training.

SCENARIO 2: Family Law Matter (Divorce / Child Custody)

Background for Student B (Client)

You and your spouse have decided to separate after several years of marriage. You have one young child, and you cannot agree on who the child should live with and how often the other parent can see the child. You are considering starting divorce proceedings and possibly asking the court to decide child custody and visitation arrangements.

You are unsure which court has jurisdiction over family matters such as divorce and child custody in your chosen jurisdiction (the UK, the USA, or Slovakia). You also want to know whether it is possible to appeal the court's decision if you disagree with the outcome.

During the conversation:

- Briefly explain your situation (marriage, separation, and the child).
- Describe the disagreement about custody or contact with the child.
- Ask the lawyer:
 - Which court will decide the divorce or custody case?
 - Which court hears the case first?
 - Is it possible to appeal the decision?
- At the end, ask one follow-up question (for example about procedure, time limits, or mediation).

Task for Student A (Lawyer)

Listen carefully to the client's situation and identify the area of law involved.

Explain to the client:

1. That the case concerns family law.
2. Which court has jurisdiction over divorce and child custody in the chosen jurisdiction (UK / USA / Slovakia).
3. Which court will hear the case first.
4. Whether an appeal is possible and which court would decide the appeal.

Use clear language and appropriate legal terminology when explaining the process to the client.

SCENARIO 3: Appeal Against a Lower Court Decision (Civil Matter)

Background for Student B (Client) You were recently involved in a civil dispute concerning a contract. The case was decided by a lower court, but you believe the decision was unfair and legally incorrect. The court ruled against you, and you were ordered to pay damages to the other party.

You are now considering filing an appeal, but you are not sure which court hears appeals in civil cases in your chosen jurisdiction (the UK, the USA, or Slovakia). You also want to understand whether there can be more than one level of appeal and which court could issue the final decision in your case.

During the conversation:

- Briefly explain the dispute and the decision of the lower court.
- Say that you are dissatisfied with the judgment.
- Ask the lawyer:
 - Where can you file an appeal?
 - Which court will hear the appeal?
 - Which court could issue the final decision?
- At the end, ask one follow-up question (for example about time limits, procedure, or costs of appeal).

Task for Student A (Lawyer)

Listen carefully to the client's explanation and identify the area of law involved.

Explain to the client:

1. That the case concerns a civil matter.
2. Which court hears appeals from lower courts in the chosen jurisdiction (UK / USA / Slovakia).
3. Whether further appeals are possible.
4. Which court could issue the final decision in the case.

Use clear explanations and appropriate legal terminology suitable for a client without legal training.

20. PRESENTATION: Prepare a presentation about any of the following topics:

Court system in the U.S.A./UK/Slovakia

E. TRANSLATION

21. Translate the following sentences:

- a) Súdna moc v SR v civilných veciach je rozdelená medzi okresné a krajské súdy a Najvyšší súd SR.
- b) Okresné súdy sú spravidla súdmi prvej inštancie v občianskych a trestných veciach.
- c) Krajské súdy rozhodujú o odvolaniach proti rozhodnutiam okresných súdov.
- d) Najvyšší súd Slovenskej republiky zabezpečuje jednotný výklad práva.
- e) Ústavný súd Slovenskej republiky rozhoduje o súlade právnych predpisov s ústavou.
- f) Špecializovaný trestný súd má právomoc rozhodovať o vybraných závažných trestných činoch.
- g) Najvyšší správny súd Slovenskej republiky je najvyšším súdnym orgánom v oblasti správneho súdnictva.
- h) Tento súd zabezpečuje zákonnosť a jednotnosť rozhodovania v správnych veciach.
- i) Ústavný súd Slovenskej republiky rozhoduje aj o ústavných sťažnostiach fyzických a právnických osôb.
- j) Reformou súdnej mapy sa rozšírili súdne obvody a umožnila sa špecializácia sudcov.

F. LISTENING

22. You are going to listen to a recording comparing civil law and common law systems. Listen carefully and complete the tasks that follow.

<https://drive.google.com/file/d/1tLSAprddPltizjZuDcqhMDi64ojUpbQu/view?usp=sharing>

a) Listen to the recording once. Then match the legal terms with the explanations that best reflect their meaning as used in the recording.

1. codification	a) a judicial technique allowing departure from earlier case law
2. legal liability	b) responsibility arising from a breach of a legal duty
3. precedent	c) systematic organisation of abstract legal norms
4. subsumption	d) logical application of a general rule to an individual dispute
5. distinguishing	e) a prior judicial decision guiding later courts

b) Listen again and complete the sentences using ONE appropriate word from the recording.

1. The judge examines whether the defendant has _____ his statutory duty.
2. The judge checks whether the defendant was legally obliged to _____ the building.
3. The plaintiff instituted legal _____ against the department store owner.
4. In common law, judges are bound by _____ decisions.
5. The court may hold a defendant liable even in the absence of proven _____.

c) Decide whether the statements are True (T), False (F), or Not Mentioned (NM). Where required, briefly justify your answer using information from the recording.

1. In civil law systems, judicial discretion plays no role at all.
2. The German judge relied exclusively on case law.
3. Common law systems rely exclusively on unwritten law.
4. In civil law systems, judicial decisions are formally binding on future cases.
5. The *Burn v Bottle* case introduced a form of strict liability.
6. Common law reasoning is based on comparing the case at hand with earlier case.
7. Distinguishing allows judges to overrule precedents.

d) Complete the reasoning chain describing how a judge evaluates a case in a civil law system. Put the steps in civil law reasoning in the correct order.

- A. The judge checks whether the legal elements are fulfilled.
- B. The judge identifies a relevant legal provision.
- C. The judge applies the general rule to the facts of the case.
- D. Compensation is awarded to the plaintiff.

Correct order:

SUBSTANTIVE CIVIL LAW IN THE SLOVAK REPUBLIC (CHAPTER 1)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. delivery of unjust enrichment	a) a legal action by which the owner of a thing demands its return from someone who possesses it without legal title
2. rights <i>in rem</i>	b) the legal institution by which rights become unenforceable after the lapse of a specified period of time during which they were not exercised
3. protection of personhood	c) absolute rights that grant their holder direct control over a thing (property) and are enforceable against everyone
4. restitution action	d) the passage of a specified period of time that has legal consequences, either creating, modifying, or extinguishing rights and obligations
5. general limitation period	e) the obligation to return or compensate for an acquired benefit or advantage (increase in assets) at the expense of another person
6. statute of limitations	f) the right that entitles its holder to purchase a thing with priority over other potential buyers, should the owner decide to sell it
7. lapse of time	g) Legal framework that safeguards the fundamental attributes that make someone a person, ensuring their autonomy, dignity and identity
8. pre-emption	h) standard time period within which a right must be exercised or a claim must be asserted, after which the

	right becomes unenforceable due to the lapse of time
--	--

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) The owner of the real estate filed a _____ against the possessor who was using the land without legal title and demanded the return of the thing into his possession.
- b) The debtor successfully defended against the lawsuit by invoking _____, since more than three years had elapsed since the claim became due.
- c) By the _____ specified in the contract, the buyer's right of first refusal expired.
- d) The defendant raised the defence of limitation, claiming that the _____ of three years had elapsed since the claim became due, and therefore he was no longer obliged to pay the debt.
- e) The claimant claimed _____ of 5,000 euros, which the defendant obtained at her expense without legal basis.
- f) The tenant of the apartment exercised his _____ and purchased the real estate for the price originally offered to another interested party.
- g) The plaintiff sought _____ in court, arguing that the defendant, by publishing her photographs on social networks without consent, unlawfully interfered with her right to image and privacy.
- h) The establishment of a lien as a limited _____ to real estate requires a written contract and registration in the real estate cadastre in order to be effective against third parties.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO RUN FROM	the defence of limitation
TO RAISE	judgments in civil matters
TO REFRAIN FROM	statutes of limitation
TO ACQUIRE	contractual obligations
TO ENFORCE	the date
TO INVOKE	the capacity to contract
TO FULFIL	interference

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) Upon reaching the age of majority, the individual will _____ and enter into legally binding written agreements.
- b) The defendant attempted to _____, arguing that the claim was filed more than six years after the alleged breach of contract occurred.
- c) The Brussels regulation establishes a framework to _____ across EU member states, ensuring the courts decisions are recognised and executed internationally.
- d) The supplier failed to _____ by delivering the goods three weeks past the agreed deadline.
- e) The court ordered both parties to _____ with each other's business operations during the pending litigation.
- f) The warranty is set to _____ of purchase for a period of two years.
- g) The company attempted _____ to dismiss the lawsuit.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

A negatory action (also called an action to **(1)** interference) is a legal **(2)** that allows a property owner to stop someone **(3)** interfering with their ownership rights without the interfering party claiming to own the property themselves. Unlike a **(4)** action where someone is trying to take your property, a negatory action addresses situations where someone is merely disturbing, **(5)**, or limiting your ability to fully use and enjoy what you own.

John owns a house with a driveway. His neighbour, Peter, regularly parks his car blocking John's driveway entrance, preventing John from accessing his own garage. Peter doesn't claim to own the driveway – he just parks there out of convenience.

John can **(6)** a negatory action to compel Peter to refrain from interference with his property rights. The court would order Peter to stop blocking the driveway, **(7)** John's full use of his property. John doesn't need to prove financial damages – the mere unlawful interference with his ownership rights is sufficient **(8)** for the action.

1. A) prevent	B) enhance	C) support	D) promote
2. A) property	B) ruse	C) remedy	D) ownership
3. A) under	B) from	C) at	D) with
4. A) remuneration	B) negation	C) destitution	D) restitution
5. A) trying	B) proving	C) demanding	D) obstructing
6. A) file	B) fill	C) fulfill	D) profile
7. A) ruining	B) restoring	C) damaging	D) revoking
8. A) premises	B) grounds	C) proof	D) territory

6. PREPOSITIONS/CONJUNCTIONS: Fill in the gaps with the missing preposition/conjunction from the following list: *THROUGH, ON, TO (2x), IF, OVER, AWAY*.

Inalienability refers (1) the legal principle that certain rights, properties, or interests cannot be transferred, sold, or given (2). Some rights are considered so fundamental (3) human dignity that they remain inalienable, such as the right to life or personal freedom, which individuals cannot contractually surrender.

In property law, inalienability may attach to specific assets (4) legal restrictions or contractual clauses preventing transfer. Historical examples include entailed estates that could not be sold outside family lines. Modern applications include restrictions (5) transferring public domain property or cultural heritage items.

While inalienability protects important interests, it can also limit individual autonomy and economic efficiency. Legal systems carefully balance these competing concerns when determining which rights or properties should remain non-transferable. Courts may also declare certain contractual terms void (6) they attempt to alienate inalienable rights, ensuring protection of fundamental values (7) private agreements.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
FORFEITURE			TO GRANT
	TO JUDGE	PERFORMANCE	
	TO PROTECT	SALE	
LIMITATION		CONTRACT	
RESTITUTION			TO DAMAGE
TERMINATION			TO ENRICH

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- a) The party that breaches the contract may _____ their right to claim damages from the other party.
- b) If a person receives a benefit without legal grounds at the expense of another, they must return the unjust _____ to the injured party
- c) The court may _____ an injunction to prevent irreparable harm to the plaintiff's rights.

- d) A party who has been unjustly enriched must _____ to the person at whose expense the enrichment occurred.
- e) Either party may _____ the contract by giving written notice at least three months before the end of the calendar year.

9. Fill in the gap with the words derived from the words in brackets.

In civil law relationships, the **(1)..... (to limit)** period is governed by the Slovak Civil Code, which stipulates a general period of 3 years, **(2)..... (commencement)** from the day the right could have first been exercised. The same period applies to consumer relationships. For instance, this period would apply to claims for **(3)..... (to pay)** of the purchase price, repayment of a loan, return of the purchase price in the event of contract **(4)..... (to terminate)**, and payment of rent for **(5)..... (a lease)** movable or immovable property. The three-year period also governs most **(6)..... (to oblige)** between employees and employers (e.g., claims for payment of wages or severance pay to employees). However, this general limitation period does not apply to certain legal relationships between the aforementioned parties (e.g., claims for damages, claims for restitution of unjust **(7)..... (to enrich)**, claims arising from a **(8)..... (to transport)** contract, etc.).²

10. Fill in the gaps with the words from the list: irreversible, limit, temporal, performance, ability, raise, regardless, must, loss, claim, defensive, lapse, eliminates.

Slovak civil law employs several **-1-** concepts that serve fundamentally different functions. **-2-** of time is the foundational concept – simply time passing objectively, like a clock ticking. It's neutral, affecting everyone equally **-3-** of their actions.

A time **-4-** transforms this neutral passage into a legal deadline. It's a specific period within which something **-5-** be done – filing a document, paying a debt, or responding to the court. These are active obligations requiring **-6-**.

Statute of limitations operates differently – it's a **-7-** mechanism. It doesn't extinguish the debt itself, only your opponent's **-8-** to enforce it through courts. The debtor must **-9-** it; otherwise, the claim proceeds normally.

² <https://ten-law.org/knowledge/statute-of-limitation-in-slovakia/>

Lapse of a **-10-** is the consequence of missing a time limit. It's the definitive **-11-** of a procedural right – absolute and **-12-**. Unlike limitation, which merely shifts enforcement power, lapse of a claim **-13-** the right entirely within that proceeding.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

- a) When the washing machine broke down after two months, Maria invoked the seller's **liability for defects** to demand either a replacement or refund, arguing that such a malfunction shouldn't occur in a new appliance.

- b) Either party may **terminate the lease agreement** by giving written notice at least three months **prior to** the expiration of the calendar year.

- c) The court determined that the twelve-year-old defendant **lacked capacity to perform unlawful acts** and therefore couldn't be held liable for the neighbour's broken window, even though he intentionally threw the ball.

- d) After discovering the bank's error, Peter was legally obligated to arrange **delivery of unjust enrichment** by returning the 5 000 € that had been mistakenly transferred to his account.

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

..... (1) persons are artificial entities recognised by law as bearers of rights and, distinct from (2) persons. Unlike individuals who acquire legal (3) automatically at birth through biological fact, legal persons come into existence only through constitutive acts – typically (4) in public registers such as the Commercial Register or Register of Associations. Their existence is contingent upon compliance with formal legal requirements: adoption of founding documents, appointment of statutory bodies, and administrative registration. Correspondingly, legal personality terminates through formal dissolution and liquidation procedures, not through natural (5).

The defining characteristic of legal (6) is the conceptual and practical separation between the (7) and its members. A corporation exists as an independent legal subject – it can own (8) in its own name, enter into contracts as a distinct party, and sue or be sued in court independently of its shareholders or directors.

B. READING

13. WARM-UP QUESTIONS:

- a) What do you already know about the protection of personhood?
- b) In what settings could potential disputes concerning the protection of personhood arise?
- c) What aspects need to be carefully taken into consideration when discussing questions about the protection of personhood?

You are going to read a conversation between a lawyer and her client about a protection of personhood case.

Law office in Bratislava: JUDr. Mária Kováčová, an attorney-at-law specializing in civil law, meets with her client, Mr. Peter Horváth, who seeks legal advice after defamatory statements were published about him on a popular Slovak news website.

DIALOGUE

LAWYER: Good afternoon, Mr. Horváth. I understand you're concerned about a possible violation of your personal rights. What happened?

CLIENT: A news portal published an article accusing me, as a company director, of accepting bribes. The claims are completely false. They used my full name, a photo without my consent, and quotes I never made. Since then, business partners have questioned me and I've received hostile messages.

LAWYER: That is serious. Under Sections 11 – 16 of the Slovak Civil Code (Act No. 40/1964 Z. z.), every person has the right to protection of personality – especially honour, dignity, privacy, name, and image. False accusations of bribery clearly interfere with your civil honour and possibly your human dignity.

CLIENT: So my reputation is legally protected?

LAWYER: Yes. Civil honour concerns how you are perceived in society, particularly professionally. Human dignity reflects your intrinsic worth. Both are protected.

CLIENT: And what about the photograph?

LAWYER: Section 12 states that photographs and personal materials may only be used with your consent. Even if the photo was publicly accessible, that does not mean consent was given for defamatory publication. Media may use images for news purposes, but only appropriately and without harming legitimate interests. Publishing false claims alongside your photo likely exceeds that exception.

CLIENT: What remedies do I have?

LAWYER: Under Section 13, you may demand: that they cease the unlawful interference (remove the article), that they remedy the consequences (publish a correction or retraction) or adequate satisfaction, typically an apology.

If that is insufficient, you may also claim monetary compensation for non-pecuniary harm – damage to your honour and dignity.

CLIENT: Can I also claim financial losses?

LAWYER: Yes. Compensation for non-pecuniary harm is separate from claims for actual financial loss, such as lost contracts. Financial damages fall under the general liability rules in Section 16.

CLIENT: How is compensation determined?

LAWYER: The court considers the seriousness of the harm, the extent of publication, the impact on your professional life, and whether the publisher acted intentionally or negligently.

CLIENT: Is there a limitation period?

LAWYER: Personality rights themselves do not expire, but monetary compensation claims are generally subject to a three-year limitation period.

CLIENT: What should we do next?

LAWYER: First, we send a pre-litigation demand requesting removal, correction, apology, and compensation. If they refuse, we file a civil action seeking injunctive relief and damages. You'll need to provide evidence – copies of the article, screenshots, messages, and proof of financial loss.

CLIENT: Thank you. I'd like to proceed.

LAWYER: Very well. I'll prepare the engagement documents, and we'll act promptly to protect your rights.

14. Are the following statements true or false?

- a) Personality rights under the Slovak Civil Code include protection of civil honour, human dignity, name, privacy, and image.
- b) If a photograph is publicly available online, anyone may freely use it without consent for any purpose.
- c) Under Section 13 of the Civil Code, a person may demand that the infringer cease the unlawful interference.
- d) Adequate satisfaction usually refers to financial compensation only.
- e) The amount of non-pecuniary compensation is determined automatically by a fixed statutory sum.
- f) Personality rights themselves are subject to a three-year limitation period.
- g) Truth can serve as a defence against a claim for unlawful interference with personality rights.

15. Finish the following sentences based on the text and the Civil Code:

- a) Under Section 11 of the Civil Code, every natural person has the right to protection of personhood, which includes protection of life and health, civil honour and human dignity, as well as
.....
- b) Section 12 of the Civil Code states that photographs, portraits, and audio-visual recordings of a person may only be used
.....
- c) Section 12 paragraph 3 allows use without consent for official purposes and for news coverage, but only if
.....
- d) According to Section 13 paragraph 1, a person whose personality rights have been violated may demand that the infringer stop the interference, remedy the consequences, and
.....
- e) Adequate satisfaction is a non-monetary remedy that usually takes the form of
.....
- f) Under Section 13 paragraph 2, if adequate satisfaction is not enough, especially when a person's dignity or reputation has been seriously damaged, they can also claim
- g) When deciding how much compensation to award for non-pecuniary damage, the court considers
.....

C. WRITING

- 16. Draft a formal pre-litigation demand letter from JUDr. Kováčová to the news portal on behalf of Mr. Horváth, requesting removal of the article, a public apology, and compensation.**
- 17. Case summary: Summarise Mr. Horváth's case in a structured format: facts, legal issues, applicable law, and potential remedies.**
- 18. Write an email from the lawyer to Mr. Horváth explaining the next steps after their consultation and what documents he needs to prepare.**

D. SPEAKING

19. ROLE-PLAY: Work in groups and role-play the following scenario.

ROLE 1: Mr. Horváth (Client)

You are angry and feel betrayed by the false accusations

Your business has lost two major contracts worth approximately €50,000

You have received threatening messages on social media

Your family is upset and embarrassed

You want the article removed immediately and a prominent public apology

You initially want €30,000 in compensation

ROLE 2: JUDr. Kováčová

You have a strong case under Sections 11-13 of the Civil Code

You have evidence: screenshots of the article, lost contract letters, hostile social media messages

Going to court will take 12-18 months and cost your client €5,000-8,000 in legal fees

Court awards for non-pecuniary damage in similar cases range from €8,000-€20,000

ROLE 3: Mgr. Novák (News Portal's legal representative)

Your journalist relied on an anonymous source who claimed to have documents

You never verified the information properly (editorial mistake)

The portal has published a brief correction, but refuses to apologise publicly

Your company's insurance covers up to €25,000 for defamation claims

A public apology could damage the portal's credibility and lead to more lawsuits

Going to court will cost €6,000-10,000 in legal fees

E. TRANSLATION

20. Translate the following sentences:

- a) Občiansky zákonník je základným prameňom hmotného občianskeho práva na Slovensku a upravuje základné inštitúty ako vecné práva, dedičstvo a záväzkové vzťahy.
- b) Subjekty občianskeho práva môžu byť fyzické osoby alebo právnické osoby, ktoré sa vyznačujú svojou právnou subjektivitou.
- c) Právna subjektivita má dve zložky: spôsobilosť mať práva a povinnosti a spôsobilosť na právne úkony.

- d) Podľa Občianskeho zákonníka je všeobecná premlčacia lehota tri roky a začína plynúť ode dňa, keď mohlo byť právo uplatnené prvýkrát.
- e) Ochrana osobnosti patrí každej fyzickej osobe bez ohľadu na vek, pohlavie alebo náboženstvo, a toto právo je neodňateľné.
- f) Typickými prejavmi osobnosti sú písomnosti osobnej povahy, podobizne, obrazové snímky a zvukové záznamy.
- g) V prípade porušenia osobnostných práv môže osoba podľa § 13 Občianskeho zákonníka požadovať zdržanie sa ďalších zásahov, odstránenie následkov a primerané zadostučinenie.
- h) Ak by primerané zadostučinenie nebolo postačujúce, má poškodený nárok na peňažnú náhradu nemajetkovej ujmy, najmä ak bola jeho dôstojnosť alebo jeho postavenie v spoločnosti značne znížené.

SUBSTANTIVE CIVIL LAW IN THE SLOVAK REPUBLIC (CHAPTER 2 AND 3)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. corporeal thing	a) any item of movable personal property
2. immovable property	b) legal right or claim against property granted to a creditor as security for a debt or obligation
3. chattel	c) a right that exists against a specific person or persons, obligating them to perform or refrain from performing a particular act
4. possession	d) refers to land and anything permanently attached to it – property that cannot be moved without damaging or altering its nature, e.g. land, buildings and structure...
5. rights <i>in personam</i>	e) a legal right to use another person's land for a specific, limited purpose. The landowner retains ownership and possession
6. lien	f) the legal right of a creditor to retain possession of property belonging to the debtor until a debt or obligation related to that property is satisfied
7. easement	g) factual control over a thing
8. retention rights	h) something that has a physical body or material form, something tangible that exists in space and can potentially be perceived through the senses

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences:

- a) A desk, a car, and a book are all examples of a _____ because they have physical form and can be perceived through the senses.
- b) The bank placed a _____ on the property as security for the unpaid mortgage loan.
- c) The repair shop exercised its _____ by keeping the customer's vehicle until the repair bill was paid in full.
- d) The farmer's livestock, tools, and harvested crops are all considered _____ since they are movable items of personal property.
- e) The neighbouring landowner has an _____ across our property, allowing him to use the driveway to access the main road.
- f) _____ are enforceable only against specific individuals who are parties to an obligation, unlike rights in rem which are enforceable against everyone.
- g) Even though John doesn't own the apartment, he has _____ of it while he is renting from the landlord.
- h) Land and buildings are classified as _____ because they cannot be moved without altering their essential nature.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO SECURE	an easement
TO OWN	a corporeal thing
TO GAIN	a claim
TO ACQUIRE	rights <i>in personam</i>
TO VIOLATE	possession
TO GRANT	a retention right
TO EXERCISE	chattels

4. Use the collocations from exercise 3 to fill in the gaps in the following sentences:

- a) The jewellery store decided to _____ over the diamond ring until the customer paid for the repair and cleaning services.
- b) When the seller delivers the goods and the buyer accepts them, the buyer will _____ of the items immediately.
- c) The wealthy collector _____ including rare paintings, antique furniture, and vintage automobiles.

- d) A buyer can _____ through purchase, gift, or inheritance, as long as there is valid transfer of ownership.
- e) If a party fails to fulfil their contractual obligations, they may _____ owed to the other party under the agreement.
- f) The landowner agreed to _____ to the utility company, allowing them to install and maintain power lines across the property.
- g) The creditor placed a mortgage on the debtor's house _____ for the outstanding loan of 50 000 €.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

(1) property includes land and structures permanently affixed to it, such as buildings and apartments. These properties are registered in the (2) Estate Cadastre, which serves as public evidence of (3) and associated rights. Its transfer requires a/an (4) contract and cadastral (5).

(6) property encompasses all (7) items that are not immovable – vehicles, furniture, equipment, and personal belongings. Ownership of movables typically transfers through (8) and doesn't require formal registration, though certain movables like motor vehicles have special registration requirements.

1. A) Movable	B) Immovable	C) Unmovable	D) Moving
2. A) Real	B) Fixed	C) Permanent	D) Actual
3. A) use	B) enjoyment	C) possession	D) ownership
4. A) oral	B) writing	C) written	D) verbal
5. A) record	B) enrolment	C) registration	D) filing
6. A) Immovable	B) Movable	C) Unmovable	D) Moved
7. A) tangible	B) intangible	C) incorporeal	D) secured
8. A) conveyance	B) assignment	C) surrender	D) delivery

6. PREPOSITIONS/CONJUNCTIONS: Fill in the gaps with the missing preposition/conjunction from the following list: *to, by, from, through, when, in, if*.

In Slovak civil law, a lien is a security right that allows a creditor to satisfy their claim (1) the value of pledged property (2) the debtor fails to fulfil their obligation.

Pledge of movables involves physical items. The pledgor typically transfers possession to the pledgee, though registered pledges allow the debtor to retain possession while the lien is recorded (3) a special register.

Pledge of immovables, commonly called a mortgage, burdens real estate. It must be established **(4)** written agreement and registered in the Real Estate Cadastre. The debtor retains possession and use of the property.

The lien holder has preferential rights to satisfy their claim from the pledged property **(5)** sale, typically via public auction. Multiple liens can burden the same property, with priority determined by registration order. The lien is accessory **(6)** the secured claim – it cannot exist independently and expires **(7)** the underlying debt is satisfied. Liens provide crucial security for lending and are essential mechanisms in commercial transactions and real estate financing.

7. DERIVATIONS: Fill in the correct derivations of the words given:

NOUN	VERB	NOUN	VERB
SECURITY	TO SECURITY OVER		TO MOVE
	TO ASSOCIATE	REGISTRATION	
	TO PLEDGE	BURDEN	
	TO ACQUIRE		TO HOLD
SATISFACTION			TO REGISTER
CREDITOR			TO FULFIL

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- a) The bank will _____ real estate with a mortgage to secure the €200,000 loan for the apartment purchase.
- b) When the debtor defaulted on the loan, the creditor sought to _____ a claim by selling the pledged vehicle.
- c) The mortgage becomes effective against third parties only after _____ in the Real Estate Cadastre is completed.
- d) The company used its inventory and equipment as _____ to secure a business line of credit from the commercial bank.
- e) After the borrower missed three consecutive payments, the lien _____ initiated foreclosure proceedings to recover the outstanding debt from the mortgaged property

9. Fill in the gap with the words derived from the words in brackets.

When **(1)****(to buy/to purchase)** an apartment in Slovakia, most buyers require financing from a bank. After finding a suitable property, the buyer **(2)**

..... **(to apply)** for a mortgage loan. The bank assesses creditworthiness and the apartment's **(3)** **(to value)** through professional appraisal. Upon loan approval, parties sign a loan agreement and a **(4)****(to pledge)** agreement. This agreement establishes a lien on the apartment, making the bank the lien **(5)** **(to hold)** (a pledgee). The property becomes encumbered with this security interest.

The purchase contract between buyer and seller must be in **(6)** **(to write)** form. Both the ownership transfer and the mortgage registration are submitted to the Real Estate **(7)****(cadastral)**. Registration is crucial – without it, neither ownership nor the lien is legally effective against **(8)** (three) parties.

Once registered, the buyer becomes the **(9)** **(to own)** but the apartment remains pledged to the bank. If the borrower defaults on loan payments, the lien holder can **(10)** **(satisfaction)** their claim by foreclosure, selling the property at public auction to recover the outstanding **(11)** **(debtor)**.

10. Fill in the gaps with the words from the list: easement, runs, land, expires, compensation, way, retains, conclude, tolerate, inaccessible.

Imagine a situation where someone owns a plot of **-1-** that has no direct access to a public road. This plot is surrounded by neighbouring plots and without a right of **-2-** it would be practically **-3-**.

The owner of such a plot can **-4-** a written agreement with a neighbour to establish a/an **-5-** (real burden) - a right of way. This agreement precisely defines the route of passage, the width of the path, the purpose (on foot, vehicles), and any potential **-6-**.

After signing the agreement, the real burden is registered in the Real Estate Cadastre. From this moment, the owner of the dominant plot has the right to pass through the neighbour's land, even if the neighbour later sells their property to a new owner. The real burden **"-7- with the land"** - the new owner must respect this right. The neighbour **-8-** ownership but must **-9-** the passage. The real burden **-10-** by agreement, expiration of time, or if it becomes impossible to exercise.

11. REPHRASING INTO PLAIN ENGLISH: Rephrase the sentences by putting the expressions in bold into plain English.

- a) According to civil law legal systems, **personal property are all things that are not immovable property.**

-
- b) Real estate transactions in the Slovak Republic **require formal registration**.
-
- c) The **right of residence for life** is a personal right that lasts for a person's lifetime.
-
- d) A **retention right** in civil law secures the creditor's claim by giving leverage until the debtor fulfils their obligation or pays what is owed.
-

12. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

When a creditor has a valid (1) against a debtor, they may seek various legal remedies to protect their interests. In cases involving (2) property, such as vehicles or equipment, the creditor might obtain a lien to ensure preferential (3) of their debt from the sale proceeds.

If a debtor attempts to transfer (4) of assets through (5) transactions designed to avoid paying creditors, the law allows these transfers to be challenged and potentially reversed. Meanwhile, certain parties may hold a(6), allowing them to purchase property before it is offered to others on the open market.

Physical (7) of property can also provide important legal advantages. A creditor who lawfully holds a debtor's goods may exercise a (8) right, keeping the items until payment is received. These various mechanisms work together to balance the rights of creditors, debtors, and third parties in property transactions, ensuring fairness and preventing abuse of the legal system.

B. READING

13. WARM-UP QUESTIONS:

- a) What does "claim" mean in a legal context?
- b) What is the difference between "ownership" and "possession"?
- c) Can you explain what "movable property" is? Give three examples.
- d) What does "fraudulent" mean when describing a transaction?
- e) What is a "retention right"? When might it be used?
- f) What does "preferential satisfaction" mean for creditors?

You are going to read a conversation between a lawyer and her client.

Law office in Bratislava: JUDr. Mária Kováčová, an attorney-at-law specializing in civil law, meets with her client, Mrs. Diana Vargová, who seeks legal advice about debt recovery.

DIALOGUE

Client: Hi, I need your help. My company sold construction equipment worth 50 000 € to a contractor six months ago, but he still hasn't paid. Now I heard he's trying to sell off his assets.

Lawyer: I see. First, do you have a written contract and invoice documenting this claim?

Client: Yes, everything is documented. He signed the purchase agreement and received the equipment.

Lawyer: Good. Do you still have possession of any of his property, or is all the equipment already in his hands?

Client: He took everything. But I recently serviced one of his excavators at my repair shop, and it's still there. He owes me €3,000 for those repairs too.

Lawyer: Excellent. You can exercise a retention right over that excavator. Since you lawfully possess it and the repair costs are directly connected to that specific piece of equipment, you can keep it until he pays the €3,000. However, this only secures the repair debt, not the original 50 000 €.

Client: What about the larger debt? I'm worried he's selling everything to avoid paying me.

Lawyer: If he's transferring ownership of his assets to relatives or friends for little or no consideration to defraud creditors, we can challenge those as fraudulent transactions. Did you notice any suspicious sales recently?

Client: Yes! Last week he transferred two trucks to his brother-in-law for practically nothing – way below market value.

Lawyer: That's potentially fraudulent. We can file a lawsuit to have those transfers declared void. But we need to act quickly. Now, regarding your original 50 000 € claim – do you have any security? A lien on any movable property, for instance?

Client: No, nothing like that. It was just a regular sale.

Lawyer: That's problematic. Without a lien, you're an unsecured creditor. If he declares bankruptcy, secured creditors get preferential satisfaction from the sale of pledged assets before you see anything.

Client: So I'm at the back of the line?

Lawyer: Unfortunately, yes, unless we can secure your position now. Here's what I recommend: First, keep that excavator under retention right and don't release it. Second, we immediately file a lawsuit for the 50 000 € and request a preliminary injunction to freeze his remaining assets. Third, we challenge the fraudulent transfers to his brother-in-law.

Client: What if he tries to sell more equipment before we get the injunction?

Lawyer: That's why we need to move fast. Once we get the court order, any further transfers can be blocked. Also, did you have any pre-emption right in your original contract? Any clause giving you the right of first refusal if he wanted to sell the equipment?

Client: No, nothing like that.

Lawyer: That would have helped, but we'll work with what we have. The key is acting immediately. I'll draft the lawsuit today and file for the preliminary injunction tomorrow. Keep the excavator secured and document everything – don't let him or anyone else take possession of it.

Client: Understood. What are my chances?

Lawyer: For the retention right on the excavator – very strong, that's straightforward. For challenging the fraudulent transfers – good, if we can prove they were made to defraud creditors. For recovering the full 50 000 € – depends on what assets he has left after secured creditors are satisfied. But doing nothing guarantees you'll lose everything.

Client: Alright, let's proceed. Draft everything you need.

Lawyer: I'll get started immediately. Meanwhile, don't communicate directly with the debtor about retaining the excavator – let me handle all communication. We don't want to give him grounds to claim unlawful possession.

14. Are the following statements true or false?

- a) The client has a written contract documenting the sale.
- b) The lawyer advised the client to release the excavator immediately.
- c) The client has a lien on the contractor's movable property.
- d) Secured creditors receive preferential satisfaction before unsecured creditors in bankruptcy.
- e) The retention right over the excavator secures both the repair debt and the original 50 000 € debt.
- f) The client had a pre-emption right in the original sales contract.

15. Finish the following sentences based on the text:

- 1. If a debtor transfers property to family members for no consideration while owing significant debts, creditors can go to court to
- 2. When there's a risk that the debtor will dispose of all remaining assets before the trial, the lawyer must act quickly and
- 3. Selling valuable assets to relatives at prices far below market value is a common tactic used to

4. Because the repair shop has lawful possession of the excavator and the debt is directly connected to that equipment, they are legally entitled to
5. The lawyer asked whether the client had a written contract and invoice to

C. WRITING

16. Draft a formal pre-litigation demand letter from JUDr. Kováčová to the contractor on behalf of Mrs. Diana Vargová, requesting the debtor to pay the 50 000 € debt.

17. Read the following client statements that require tactful and diplomatic lawyer responses. What would be your suitable response as the client's lawyer:

1. SCENARIO 1: CLIENT PROPOSES

Client Statement: "Look, I know someone at the cadastral office. For a few hundred euros, he could 'lose' the paperwork on those truck transfers. Would that help our case?"

2. SCENARIO 2: CLIENT WANTS TO USE

Client Statement: "I know where he keeps his other trucks. What if I just go over there tonight with my guys and take them? He owes me money, so technically they should be mine anyway."

1. SCENARIO 3: CLIENT CRITICISES YOUR

Client Statement: "This is taking too long and costing too much! My friend's lawyer got his money back in two weeks without all this complicated legal stuff. Maybe I should just hire someone more aggressive."

2. SCENARIO 4: CLIENT QUESTIONS YOUR

Client Statement: "No offense, but you seem pretty young. Have you actually handled cases like this before? Maybe I should get a more experienced lawyer, someone who really knows what they're doing."

D. SPEAKING

18. ROLE-PLAY: Work in groups and role-play the following scenario.

STEP 1

PHONE CALL: NEGOTIATION WITH DEBTOR'S LAWYER

Participants: Creditor's Lawyer and Debtor's Lawyer

Creditor's Lawyer: Demand payment, threaten legal action, mention retention of excavator and fraudulent transfer claims

Debtor's Lawyer: Negotiate payment plan, dispute fraudulent transfer allegations, request release of the excavator

Key Terminology: settlement, payment plan, fraudulent conveyance, retention right, preliminary injunction, secured creditor

STEP 2

CONFRONTATION - CLIENT VS. DEBTOR

Participants: Client (creditor) and Debtor

Setup: Debtor comes to the repair shop demanding the return of the excavator.

Client: Assert retention right, refuse to release excavator, remain professional

Debtor: Demand property back, claim unlawful possession, threaten legal action

Key Terminology: retention right, lawful possession, claim, debt, payment

E. TRANSLATION

19. Translate the following sentences:

- a) Nehnutelnosť musí byť zapísaná do katastra nehnuteľností, aby sa vlastnícke právo stalo účinným voči tretím osobám.
- b) Hnuteľné veci sa zvyčajne prevádzajú odovzdaním, pričom nie je potrebná písomná zmluva.
- c) Vecné bremeno doživotného bývania zaniká smrťou oprávnenej osoby.
- d) Záložné právo k nehnuteľnosti sa musí zriadiť písomnou zmluvou a zapísať do katastra.

- e) Zabezpečený veriteľ má lepšie postavenie ako nezabezpečený veriteľ.
- f) Dlžník previedol majetok na svojho príbuzného za cenu výrazne nižšiu ako tržnú hodnotu.
- g) Oprávnená osoba má právo užívať nehnuteľnosť, ale nemôže ju predať ani zaťažiť záložným právom.
- h) Vecné bremeno práva prechodu umožňuje vlastníkovi prechádzať cez cudzí pozemok.

LAW OF TORT (CHAPTER 1 AND 2)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. deterrent	a) a wrongful act (other than a crime or breach of contract) that causes harm or loss to another person
2. foreseeable	b) the person who commits a tort and is liable for the harm caused
3. damages	c) something that discourages or prevents harmful or unlawful behaviour by creating fear of consequences (e.g. penalties or liability)
4. actionable <i>per se</i>	d) a failure to exercise reasonable care, resulting in damage or injury to another person
5. malice	e) intentionally causing someone to fear immediate unlawful physical harm
6. nuisance	f) the unlawful restriction of a person's freedom of movement
7. tortfeasor/wrongdoer	g) the area of civil law that deals with wrongful acts causing harm or loss, for which the injured party may claim compensation
8. negligence	h) the intention to cause harm, or acting with ill will or improper motive, especially relevant in defamation cases
9. civil wrong	i) a type of tort that gives rise to a legal claim without the claimant having to prove actual loss or damage; the fact that the defendant committed the tort is enough for the claimant to be entitled to redress
10. assault	j) reasonably predictable as a possible result of certain actions

11. law of tort	k) a tort involving unlawful or unreasonable interference with a person's use or enjoyment of their land or property
12. false imprisonment	l) financial compensation awarded by a court to a person who has suffered harm or loss

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences.

- a) Unlike criminal law, the _____ focuses mainly on compensating the injured party rather than punishing the offender.
- b) A person who commits a civil wrong is known as a/an _____.
- c) To make someone afraid that he will be physically hurt is the tort of _____.
- d) The main purpose of awarding high compensation in some cases is to act as a/an _____ and discourage similar behaviour in the future.
- e) My client could not have anticipated the consequences of his conduct, and we deny that the harm he caused was reasonably _____.
- f) Unlike other torts, trespass is _____, meaning that the claimant is not required to prove actual damage in order to establish liability.
- g) The judge awarded the claimant _____ of £20,000.
- h) A factory constantly emits loud noise and toxic fumes, seriously disturbing nearby residents. The residents may bring a claim for _____.
- i) A shop security guard locks a customer in a storage room for two hours without calling the police. The customer may sue for _____.
- j) A journalist knowingly publishes a false story to harm a celebrity's reputation. The court may find that the article was published with _____.
- k) In both the UK and the USA, most tort cases are based on _____, and the claimant must prove that the defendant breached a duty of care.
- l) The law of tort provides remedies to individuals harmed by a/an _____.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO ACT	personal or property rights
TO COMMIT	liability
TO PROVIDE	damages
TO BREACH	damage
TO AWARD	a reasonable standard of care

TO ESTABLISH	as a deterrent
TO FORESEE	the duty of care
TO INFRINGE	a remedy
TO EXERCISE	harmful conduct
TO AVOID	a tort

4. Use the collocations from Exercise 3 in their correct form to complete the following sentences.

- a) Lawyers and healthcare professionals are expected to _____ when performing their professional duties.
- b) Entering someone's land without permission may _____.
- c) In order to win the case, the claimant had to _____ by showing that all the elements of negligence were present.
- d) The law requires individuals not only to exercise reasonable care but also to _____ that could cause injury to others.
- e) A reasonable driver should be able to _____ when driving at high speed in heavy rain.
- f) By failing to check the patient's medical history before surgery, the surgeon _____.
- g) By deliberately publishing false allegations about his business rival, the defendant clearly _____.
- h) A construction company ignored repeated safety warnings. The court imposed a very high fine to _____ and discourage similar behaviour in the industry.
- i) The primary aim of the law of tort is to _____ to the injured party rather than to punish the wrongdoer.
- j) After examining all the evidence, the court decided to _____ to compensate the injured claimant.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

A **(1)** is a civil wrong, consisting of anything wrongfully done or permitted that **(2)** with or annoys others in the enjoyment of their legal rights. On the other hand, a **(3)** to land is an invasion of a person's interest in the exclusive possession of their land. **(4)** is the communication of a false statement that harms the **(5)** of an individual. It consists of two torts: **(6)** (most typically in writing) and **(7)** (false oral statements).

In some jurisdictions, (8) is defined as the threat of bodily harm that reasonably causes fear of harm in the victim while (9) is the actual physical impact (10) another person.

(11) imprisonment can be both a crime and a civil cause of action (falling under the category of (12) torts). It involves (13) another person's freedom of movement. It is a/an (14) act that results (15) harm to another.

1)	A. convenience	B. nuisance	C. discomfort	D. torment
2)	A. encourages	B. allows	C. interferes	D. continues
3)	A. trespass	B. combat	C. retreat	D. breach
4)	A. Degradation	B. Defamation	C. Humiliation	D. Disinformation
5)	A. disapproval	B. superiority	C. backup	D. reputation
6)	A. accusation	B. praise	C. libel	D. distortion
7)	A. slander	B. impairment	C. grievance	D. outrage
8)	A. persecution	B. criticism	C. invasion	D. assault
9)	A. command	B. detachment	C. battery	D. defence
10)	A. in	B. for	C. with	D. on
11)	A. False	B. Genuine	C. Valid	D. Imitated
12)	A. advised	B. intentional	C. accidental	D. considered
13)	A. permitting	B. restricting	C. expanding	D. excluding
14)	A. legitimate	B. lawful	C. unprejudiced	D. wrongful
15)	A. in	B. for	C. to	D. within

6. PREPOSITIONS: Fill in the gaps with the correct prepositions from the following list: *TO, IN (2x), BY, FROM, FOR (2x), AGAINST, OF (2x)*

Negligence may arise (1) ___ careless conduct. To succeed (2) ___ bringing a claim, the claimant must prove a violation (3) ___ the duty of care.

If the defendant fails to meet the standard (4) ___ care required by law, their behaviour may result (5) ___ tortious liability. The injured party may then bring an action (6) ___ the wrongdoer and file a claim (7) ___ damages.

The court will examine whether the harm was foreseeable (8) ___ a reasonable person and whether the defendant is liable (9) ___ the damage caused.

If liability is established, the claimant may be entitled (10) ___ compensation.

7. **DERIVATIONS:** Complete the table with the correct noun, verb, or adjective forms of the words given.

NOUNS	VERBS	ADJECTIVES
	TO DETER	
INTENTION		
		NEGLIGENT
CARE		
	TO INJURE	
		INTERFERRING
VIOLATION		
	TO REMEDY	

8. Use some of the words from exercise 7 to fill in the gaps in the following exercise.

- To succeed in a claim of _____, the claimant must prove duty, breach, causation, and damage.
- The claimant suffered a serious head _____ as a result of the accident.
- Battery is an _____ tort involving unlawful physical contact with another person.
- The harm suffered by the claimant must be properly _____ through an award of damages.
- High financial compensation may act as _____ to potential future wrongdoers.
- Entering someone's property without permission may _____ their legal rights.
- A person must not _____ with another's peaceful enjoyment of their land.
- Healthcare professionals owe a duty of _____ to their patients.

9. Fill in the gap with the words derived from the words in brackets.

Negligence is one of the most common forms of civil (1) _____ (wrong). To succeed in a claim of negligence, the claimant must prove that the defendant owed a duty of care and acted (2) _____ (care). A failure to meet the required standard may result in legal (3) _____ (liable).

The concept of duty of care was significantly developed through judicial (4) _____ (decide), particularly in the landmark case of *Donoghue v Stevenson*. The court emphasised the importance of reasonable (5) _____ (foresee) of harm. If

damage is not reasonably foreseeable, the defendant may avoid (6) _____ (responsible).

Certain intentional torts involve direct (7) _____ (interfere) with a person's body or property. Trespass to land may constitute an unlawful (8) _____ (infringe) of property rights.

In cases of defamation, the claimant must prove serious harm to his or her (9) _____ (repute). Where liability is established, the injured party may seek financial (10) _____ (compensate) for the loss suffered.

10. Fill in the gaps with the words from the list: *malice, proof, defamatory, reputation, freedom, statement, claimant, defendant, evidence, burden, damages, harm, defence, opinion, serious*

The defamation dispute between Johnny Depp and Amber Heard attracted global attention and raised important issues concerning (1) _____ of speech and protection of personal (2) _____.

In defamation cases, the (3) _____ must prove that the allegedly false (4) _____ was communicated to a third party and was (5) _____ in nature. The court must also determine whether the publication caused (6) _____ harm to the claimant's reputation.

The (7) _____ may argue that the statement was true or rely on another legal (8) _____, such as honest (9) _____. However, if the statement was made with (10) _____, this may defeat certain defences.

During the trial, both parties presented extensive (11) _____, and the (12) _____ of (13) _____ rested on the claimant. If successful, the claimant may be awarded (14) _____ as compensation for the reputational (15) _____ suffered.

11. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

A customer brought a civil claim against a supermarket after being detained by a security guard on suspicion of shoplifting. The claimant argued that he had been subjected to (1) _____, as he was prevented from leaving the store without lawful justification.

This tort is classified as an (2) _____ tort involving the unlawful restriction of a person's freedom of (3) _____. It is (4) _____ *per se*, meaning that proof of actual damage is not required.

During the trial, the court examined whether the guard's conduct amounted to an unlawful (5) _____ with the claimant's personal freedom and whether the detention was reasonable in the circumstances. The defendant relied on the (6) _____

_____ that the guard had acted in good faith and had reasonable grounds for suspicion.

The judge considered whether there was any evidence of (7) _____ or improper motive. Ultimately, the court found that the security guard had committed a civil (8) _____ and had infringed the claimant's personal (9) _____.

As a result, the supermarket was held (10) _____ and ordered to pay damages.

B. LISTENING

12. WARM-UP QUESTIONS: You are going to watch a video about *Monroe v Hopkins*, a landmark English defamation case often referred to as a "Twibel" case. Before watching the video, think about how social media affects reputation and the consequences of posting online.

- a) Can a short social media post seriously damage someone's reputation? Why or why not?
- b) Should people be legally responsible for what they post online, even if it was written quickly or emotionally?
- c) If someone makes a mistake online, is deleting the post enough to avoid legal consequences?
- d) Do you think social media exchanges should be treated differently from newspaper publications in law?
- e) What might be the legal consequences of falsely accusing someone of immoral or criminal behaviour online?

13. Now watch the video *Monroe v Hopkins: The Tort of Defamation*, available at <https://www.youtube.com/watch?v=NGqhXCKsjgk>. While watching, decide whether the following statements are TRUE or FALSE based on the information presented in the video.

- a) The vandalism of the Memorial to the Women of World War Two occurred before the 2015 General Election.
- b) The events were discussed on Twitter after PennyRed posted a photograph of the vandalised memorial.
- c) Katie Hopkins was working as a columnist for The Guardian at the time of the tweets.
- d) Hopkins mistakenly identified Monroe as PennyRed when posting the tweet.
- e) Monroe responded calmly and did not engage further on Twitter.
- f) Hopkins deleted her tweet but did not block Monroe on Twitter.
- g) Solicitors acting for Monroe wrote to Hopkins, but she did not reply to the letter.

- h) The High Court judge stated that a tweet may need to be read in context and as part of a series of tweets.
- i) The court decided that tweets cannot seriously damage someone's reputation.
- j) The judge suggested that a prompt apology could have reduced the damages Hopkins had to pay.

14. Finish the following sentences based on the video. In some cases, you may need to use more than one word.

- a) At the time of the events, Ms Hopkins was known as _____.
- b) The exchange between the two Twitter users led to widespread _____.
- c) Monroe later decided to bring a legal claim for _____.
- d) The case demonstrates that a tweet can be _____ and seriously damage someone's reputation.
- e) The judge explained that the context in which tweets are read depends on how _____.

C. READING

15. Now read more about the case and answer the following questions.

Monroe v Hopkins was a landmark 2017 English libel case – often referred to as a “Twibel” case – in which food writer and activist Jack Monroe successfully brought a defamation claim against columnist Katie Hopkins over two tweets. The judgment established an important precedent for social media liability in the United Kingdom, confirming that the fast-paced and informal nature of Twitter (now X) does not exempt users from legal responsibility for serious and untrue allegations.

Background

The dispute arose in May 2015 during an anti-austerity protest in London. During the protest, the Women of World War II Monument was defaced with graffiti. At the time, columnist Laurie Penny had expressed support for the protestors' actions. Katie Hopkins intended to criticise Laurie Penny. However, she mistakenly directed her comments at Jack Monroe, an anti-poverty campaigner with a military family background.

Two tweets were central to the case:

- **First Tweet:** “@MsJackMonroe scrawled on any memorials recently? Vandalised the memory of those who fought for your freedom. Grandma got any more medals?”

- **Second Tweet:** In response to followers asking about the difference between another journalist and Monroe, Hopkins referred to Monroe as “social anthrax.”

Monroe requested that Hopkins delete the tweets and donate £5,000 to a migrant rescue charity in order to avoid legal proceedings. Instead of responding, Hopkins blocked Monroe on Twitter and did not issue a public apology.

The Legal Claim

Monroe brought a claim for libel, arguing that the tweets falsely accused her of vandalising, or at least condoning the vandalism of a war memorial. Such an accusation was particularly serious given Monroe’s military family background.

Under the Defamation Act 2013, Monroe had to satisfy the “serious harm” requirement. The court therefore had to determine whether the publications caused, or were likely to cause, serious harm to her reputation.

Judgment (March 2017)

Mr Justice Warby ruled in Monroe’s favour. The court held that the tweets conveyed defamatory meanings and had caused real and substantial distress. The judge also found that the statements met the statutory requirement of serious harm.

Hopkins was ordered to pay:

- £24,000 in damages
- Legal costs estimated to exceed £300,000

In March 2017, Hopkins was refused permission to appeal, making the decision final.

Significance

The case became widely known as a “Twibel” case and confirmed several important principles:

1. **Libel law fully applies to Twitter.** Social media platforms are not legally exceptional spaces.
2. **Deletion does not erase liability.** Even if a tweet is later removed, the initial publication may already have caused serious harm.
3. **Understanding social media mechanics matters.** The judgment included a detailed appendix explaining how Twitter functions, which has since served as guidance in later social media defamation cases.
4. **The importance of apology.** The case demonstrated that early apologies or retractions may prevent or significantly reduce legal consequences. It has often been described as an example of the high “price of not saying sorry.”

Comprehension Questions

1. Why is *Monroe v Hopkins* considered a landmark case in English defamation law?
2. What event triggered the dispute between Monroe and Hopkins?

3. Whom did Katie Hopkins originally intend to criticise?
4. What were the two key tweets that formed the basis of the legal claim?
5. What request did Monroe make in order to avoid legal proceedings?
6. What is the “serious harm” requirement under the Defamation Act 2013?
7. What did Mr Justice Warby decide in his judgment?
8. How much was Hopkins ordered to pay in damages?
9. Why was the refusal of permission to appeal significant?
10. What important principles about social media and defamation did the case confirm?

D. SPEAKING

16. ROLE-PLAY: Work in pairs and role-play the following scenarios.

SCENARIO A: A customer, Mr. Taylor, visited a newly opened café. While walking to his table, he slipped on a wet floor near the entrance. There was no warning sign. He suffered a fractured wrist.

After the fall, the café manager accused Mr. Taylor of exaggerating his injury. A security employee then locked the exit door and prevented him from leaving for 20 minutes while reviewing CCTV footage. Mr. Taylor claims he was embarrassed and distressed. He has now decided to bring a civil action against the café owner.

Student A – Customer (Mr. Taylor)

You slipped on a wet floor in the café and injured your wrist. There was no warning sign near the entrance. After the accident, you were prevented from leaving the café for 20 minutes while staff checked the CCTV footage. You felt embarrassed and humiliated because other customers were watching.

Your objectives:

- Argue that the café failed to ensure the premises were safe.
- Argue that you were unlawfully detained.
- Seek compensation for your injury, distress, and embarrassment.
- Request an apology from the café.

Student B – Café Manager

You represent the café owner. The café had just opened and staff were still cleaning the entrance area. You believe the accident may have been partly the customer’s fault. The security employee briefly prevented Mr. Taylor from leaving in order to verify what had happened.

Your objectives:

- Question whether the café is fully responsible for the accident.
- Argue that the staff acted reasonably while checking the CCTV footage.
- Avoid a lawsuit if possible.

- Minimise any financial compensation.

WHAT MUST BE NEGOTIATED?

- Did the café breach its duty to keep the premises safe?
- Was Mr. Taylor unlawfully detained by the staff?
- Should the café apologise for the incident?
- Should the customer receive damages for the injury and distress?
- Can the parties reach a settlement without going to court?

SCENARIO B: A customer, Ms. Green, visited a supermarket to buy groceries. While shopping, a security guard accused her of stealing a bottle of wine. The guard loudly told other customers that Ms. Green was “a shoplifter” and demanded that she follow him to the security office.

Ms. Green insisted that she had already paid for the item, but the guard took her shopping bag and refused to let her leave the store for 30 minutes while checking the receipts. Eventually, it became clear that the cashier had accidentally scanned the item twice and that Ms. Green had done nothing wrong.

Ms. Green claims that she felt humiliated in front of other customers and suffered emotional distress. She is now considering bringing a civil action against the supermarket.

Student A – Customer (Ms. Green)

You believe your reputation was damaged and that you were unlawfully detained. You want an apology and compensation for the embarrassment and distress you experienced.

Your objectives:

- Argue that the accusation of shoplifting damaged your reputation.
- Argue that the store staff unlawfully detained you.
- Seek compensation for humiliation and emotional distress.
- Request a formal apology from the supermarket.

Student B – Supermarket Manager

You represent the supermarket. You believe the security guard acted reasonably while investigating a possible theft. You want to avoid legal action and minimise any compensation.

Your objectives:

- Argue that the security guard had reasonable grounds to investigate the situation.
- Explain that the mistake was caused by a scanning error.
- Offer an apology if necessary.
- Try to settle the dispute and minimise compensation.

WHAT MUST BE NEGOTIATED?

- Was the customer unlawfully detained?

- Did the guard damage the customer's reputation?
- Should the supermarket apologise?
- Should the customer receive damages?
- Is it possible to settle the dispute without going to court?

17. PRESENTATION: Choose one of the cases below and analyse it from the perspective of the law of tort. Your presentation should explain the legal background, key issues, arguments of the parties, and the final outcome.

- Meghan Markle v Associated Newspapers (Press Case)
- Gwyneth Paltrow Ski Trial (Paltrow v Sanderson, 2023)
- Any Other Tort Law Case of Your Choice

E. TRANSLATION

18. Translate the following sentences.

- V prípade ohovárania musí žalobca preukázať, že nepravdivé tvrdenie spôsobilo vážnu ujmu na jeho povesti.
- Neoprávnené obmedzenie osobnej slobody je úmyselný občianskoprávny delikt, ktorý je žalovateľný sám o sebe.
- Na preukázanie nedbanlivosti musí žalobca preukázať porušenie povinnosti a príčinnú súvislosť medzi konaním a škodou.
- Pokiaľ dôjde k prerušeniu príčinnej súvislosti zásahom tretej osoby, žalovaný nemusí niesť zodpovednosť za vzniknutú škodu.
- Ak je delikt žalovateľný sám o sebe, nie je potrebné preukázať skutočnú škodu.

LAW OF TORT (CHAPTER 3 AND 4)

A. LEGAL TERMINOLOGY BUILDING EXERCISES

1. DEFINITIONS: Match the legal terms to their definitions.

1. strict liability	a) damages awarded to compensate for subjective, non-monetary harm such as pain and suffering
2. vicarious liability	b) harm intentionally caused by a person who acts deliberately and with the purpose of causing injury or with knowledge that injury is substantially certain to result from their conduct.
3. precautions	c) the income a person was unable to earn due to injury or wrongful conduct
4. omission	d) damages awarded to punish the defendant for malicious or grossly negligent conduct
5. wilful / reckless harm	e) liability imposed on one person for the torts committed by another due to a specific relationship (e.g. employer – employee)
6. defective product	f) final court order requiring a party to perform or refrain from specific conduct on a permanent basis to prevent future harm
7. lost profit / loss of earnings	g) a failure to act when there is a legal duty to do so
8. non-economic / general damages	h) a situation where a person is responsible for harm regardless of fault, intention, or negligence
9. punitive damages	i) measures taken in advance to prevent harm or reduce the risk of injury or damage
10. permanent injunction	j) a product that is unsafe due to a design flaw, manufacturing fault, or lack of adequate warning

2. Use the legal terms from exercise 1 to fill in the gaps in the following sentences.

- a) The company installed safety cameras and warning signs as reasonable _____ to prevent accidents on the premises.
- b) If a blender explodes during normal use due to a manufacturing fault, it is considered a _____.
- c) The judge issued a _____ ordering the company to permanently stop dumping waste into the river.
- d) The injured party was awarded _____ for pain, suffering, and emotional distress.
- e) The claimant sought compensation for medical expenses as well as _____, since she was unable to work for several months.
- f) A serious _____ occurred when the lifeguard failed to assist the swimmer despite having a clear legal duty to act.
- g) An employer may be responsible for damage caused by an employee during working hours under the principle of _____.
- h) In addition to compensation, the court granted _____ to punish the defendant for malicious conduct.
- i) The court found that the defendant's conduct amounted to _____ because he intentionally ignored a serious risk of harm.
- j) In cases of _____, a defendant may be held liable even without proof of fault or negligence.

3. COLLOCATIONS: Match the verbs from column A to the words in column B to create collocations.

TO IMPOSE	non-economic/general damages
TO HOLD SOMEONE	liability
TO TAKE	a court order
TO CAUSE	future injury
TO CLAIM	a permanent injunction
TO GRANT	lost profit/loss of earnings
TO ISSUE	precautions
TO PREVENT	punitive damages
TO SUFFER	harm
TO SEEK	strictly liable

4. Use the collocations from Exercise 3 in their correct form to complete the following sentences.

- a) As a result of the accident, the claimant _____ during the period of recovery.
- b) A defective electrical installation may _____ to both residents and visitors.
- c) After reviewing the evidence, the court agreed to _____ prohibiting the company from continuing its unlawful activities.
- d) Safety regulations are designed to _____ and protect members of the public.
- e) The court decided to _____ on the defendant after finding that he had breached his statutory duty.
- f) The injured party decided to _____ for pain, suffering, and emotional distress.
- g) Employers must _____ to ensure the safety of their employees in the workplace.
- h) The judge may _____ requiring the defendant to comply with safety regulations immediately.
- i) Under the principle of strict liability, the owner may be _____ for damage caused by a dangerous animal.
- j) In cases of malicious conduct, the claimant may _____ in addition to compensatory damages.

5. MULTIPLE-CHOICE: Choose the correct option from A, B, C or D.

(1) liability is a legal concept that assigns liability to an individual who did not actually cause (2) (in other words (3)), but who has a specific superior legal relationship to the person who caused it.

It can arise in situations where one party is supposed to be responsible (4) (and have control over) a third party and is (5) in carrying out that responsibility and exercising that control. For example, an employer can be (6) liable for the unlawful actions or (7) if an employee operates equipment or machinery in an inappropriate way that results in (8) to property or personal (9). Most often, a/an (10) is required to prove that the elements of this type of liability exist.

Even though the employer is not the one who (11) the act, the employer is held responsible because s/he bears responsibility for its employees' actions while they are on the job and its is considered to be able to prevent and/or limit any (12) acts

performed by its employees. The employer may be able to (13) this type of liability by exercising (14) care to (15) the unlawful behaviour.

1)	A. Vicarious	B. Strict	C. Libel	D. Trespass
2)	A. remedy	B. redress	C. harm	D. care
3)	A. compensation	B. damage	C. deterrent	D. provision
4)	A. for	B. in	C. over	D. upon
5)	A. negligent	B. careful	C. present	D. entitled
6)	A. forced	B. disregarded	C. acted	D. held
7)	A. proofs	B. deterrents	C. overlaps	D. omissions
8)	A. damage	B. defamation	C. commitment	D. mischief
9)	A. tort	B. purpose	C. injury	D. behaviour
10)	A. tortfeasor	B. victim	C. criminal	D. offender
11)	A. closed	B. undid	C. committed	D. expected
12)	A. breached	B. owed	C. harmful	D. harmless
13)	A. avoid	B. support	C. look for	D. look by
14)	A. unreasonable	B. impertinent	C. unpredictable	D. reasonable
15)	A. support	B. prevent	C. do	D. neglect

6. PREPOSITIONS: Fill in the gaps with the correct prepositions from the following list: *IN (2x), BY, FOR (5x), ON (2x), OF, FROM*

Strict liability may be imposed (1) ___ a defendant regardless (2) ___ fault. In certain cases, an employer may be held liable (3) ___ the acts of an employee committed (4) ___ the course of employment.

Occupiers are responsible (5) ___ ensuring that visitors are reasonably safe (6) ___ their premises. If they fail to take precautions, they may be liable (7) ___ harm caused (8) ___ dangerous conditions.

An injured party may apply (9) ___ a permanent injunction or claim compensation (10) ___ non-economic damages resulting (11) ___ the injury.

In serious cases, the court may award punitive damages (12) ___ addition to compensatory damages.

7. Fill in the gaps with the words from the list: *vicariously, precautions, court, earnings, compensatory, harm (2x), strict, omission, punitive, defective, injury, liability, non-economic, injunction*

In tort law, (1) _____ liability may be imposed even where the defendant did not act negligently. For example, a manufacturer may be responsible for a (2) _____ product that causes (3) _____ to consumers.

In some cases, an employer may be held (4) _____ liable for wrongful acts committed by an employee in the course of employment. Liability may also arise from an (5) _____, where a person fails to act despite having a legal duty to do so.

Occupiers are expected to take reasonable (6) _____ to prevent foreseeable (7) _____ to visitors on their premises. If they fail to do so, the court may impose (8) _____.

Where harm has been proven, the claimant may seek (9) _____ damages to cover financial losses, as well as (10) _____ damages for pain and suffering. In more serious cases involving malicious conduct, (11) _____ damages may be awarded.

If monetary compensation is not sufficient, the (12) _____ may grant a permanent (13) _____ to prevent further (14) _____. The injured party may also recover loss of (15) _____ resulting from the injury.

8. OPEN-CLOZE TEXT: Fill in the gaps with any suitable word.

A customer purchased electrical equipment that overheated during normal use and caused significant property damage. The claimant argued that the manufacturer bore (1) _____ for placing an unsafe product on the market.

Unlike negligence, this form of responsibility does not always require proof of (2) _____. The central issue was whether the damage was directly caused (3) _____ the product at the time it was supplied.

The claimant sought (4) _____ as financial recovery for the cost of repairs. In addition, she claimed (5) _____ damages for emotional distress. Since there was no evidence of malicious or intentional misconduct, exemplary damages were not considered appropriate.

Because similar products were still being sold, the claimant also applied for an (6) _____ to prevent further sales. At the preliminary stage, the judge decided to (7) _____ an interim injunction pending the full hearing.

After examining the evidence at trial, the judge granted a (8) _____ injunction requiring the company to withdraw the product from the market permanently.

However, in relation to a minor technical breach where no measurable loss was proven, the claimant was awarded only (9) _____ damages, recognising that a legal right had been violated despite the absence of substantial loss.

The outcome depended largely on the (10) _____ presented and whether the company could demonstrate compliance with statutory safety standards.

B. READING

WARM-UP QUESTIONS

1. Do you think companies should be responsible for injuries caused by hot food or drinks? Why / Why not?
2. Should consumers bear responsibility for their own safety?
3. When should punitive (exemplary) damages be awarded?
4. Is large compensation always justified, or does it encourage frivolous lawsuits?

9. Now read about the “McDonald’s coffee case” and answer the following questions.

In 1992, a 79-year-old woman, Stella Liebeck, purchased a cup of coffee from a McDonald’s drive-through in New Mexico. While sitting in the passenger seat of a parked car, she attempted to remove the lid in order to add cream and sugar. The cup tipped over, spilling hot coffee onto her lap.

The coffee was served at a temperature between 82 – 88°C (180 – 190°F), which was significantly hotter than coffee prepared at home. As a result of the spill, Ms Liebeck suffered third-degree burns and required skin grafts and extensive medical treatment.

Evidence presented during the trial revealed that McDonald’s had received hundreds of prior complaints about excessively hot coffee. The company argued that the coffee was intentionally served at high temperatures to maintain quality and taste and that customers were aware the beverage was hot.

The claimant sued McDonald’s, alleging that the company should be held liable for serving coffee at an unreasonably dangerous temperature. She sought compensatory damages for medical expenses and pain and suffering.

The jury found that McDonald's bore responsibility for the injuries because the risk of serious burns was foreseeable. However, it also determined that the claimant was partially responsible. The damages were therefore reduced due to contributory negligence.

The jury awarded compensatory damages and initially granted punitive damages intended to punish the company and deter similar conduct. The punitive award was later reduced by the judge. Eventually, the parties reached a confidential settlement.

The case became widely debated and is often cited as an example of excessive litigation in the United States. However, legal scholars frequently argue that the case illustrates important principles of product responsibility, foreseeability, and the function of punitive damages.

Comprehension Questions

1. What injuries did the claimant suffer?
2. Why was the temperature of the coffee legally significant?
3. What evidence was presented regarding previous complaints?
4. On what basis did the jury find McDonald's responsible?
5. Why were the damages reduced?
6. What was the purpose of punitive damages in this case?
7. Why is this case often misunderstood in public debate?

C. SPEAKING

10. ROLE-PLAY: Work in pairs and role-play the following scenarios.

SCENARIO 1: Dangerous Product

A consumer bought an electric heater from a well-known manufacturer. During normal use, the heater overheated and caused a fire in the consumer's apartment. The claimant suffered property loss and emotional distress.

Student A – Claimant (Consumer)

Your position:

- You bought the heater for normal household use.
- You followed all instructions.
- The product overheated and caused a fire.
- You suffered property damage and emotional distress.
- Other customers have complained online about similar problems.

Your objectives:

- Argue that the manufacturer bears responsibility for placing an unsafe product on the market.
- Emphasise that proof of fault should not be required.
- Seek:
 - financial recovery for property loss,
 - general damages for distress,
 - possibly a permanent injunction to stop further sales.

Student B – Manufacturer's Lawyer**Your position:**

- The product complied with safety standards.
- The claimant may have misused the heater.
- No official recall has been issued.
- The company included warning instructions.

Your objectives:

- Argue that responsibility should not automatically arise.
- Question causation (was the damage truly caused by the product?).
- Argue that monetary compensation is sufficient.
- Oppose any request for an injunction.

What must be negotiated?

- Is the manufacturer legally responsible?
- Should the company pay compensation?
- Should the sales of the heater be stopped?
- Is settlement possible?

SCENARIO 2: Accident at Work

An employee at a construction site fell from scaffolding after being instructed to work without proper safety equipment. The worker suffered serious injuries and was unable to work for six months.

Student A – Injured Employee**Your position:**

- You were instructed to work without proper safety equipment.
- You raised concerns before the accident.
- You suffered serious physical injuries.
- You were unable to work for 6 months.

Your objectives:

- Argue that responsibility should be imposed on the employer.

- Seek:
 - compensation for medical expenses,
 - recovery for lost income,
 - general damages for pain and suffering.
- Argue that the employer failed to meet safety obligations.

Student B – Employer’s Lawyer

Your position:

- Safety equipment was available.
- The employee chose not to use it.
- The company follows standard procedures.
- The accident was partly the employee’s fault.

Your objectives:

- Reduce the amount of compensation.
- Argue contributory negligence.
- Avoid any allegation of reckless conduct.
- Prevent discussion of exemplary damages.

What must be negotiated?

- Is the employer responsible?
- Should damages be reduced?
- What amount of compensation is appropriate?

SCENARIO 3: Hazardous Activity

A chemical company operates a plant near a residential area. Toxic fumes regularly escape from the premises, affecting local residents. Several people report health problems and property contamination.

Student A – Residents

Your position:

- Toxic fumes affect your health.
- Your property has decreased in value.
- Complaints have been ignored.
- The activity is inherently dangerous.

Your objectives:

- Argue that this activity gives rise to strict responsibility.
- Seek damages for property loss and distress.
- Request an interim injunction immediately.
- Ask for a permanent injunction after trial.

Student B – Company Representative

Your position:

- The plant operates with a government licence.
- All regulatory standards are met.
- No clear medical link has been proven.
- Closing the plant would cause economic loss.

Your objectives:

- Argue that negligence has not been proven.
- Oppose a permanent injunction.
- Offer financial compensation instead.
- Emphasise public interest and employment impact.

What must be negotiated?

- Should operations be stopped?
- Are damages sufficient?
- Interim vs permanent injunction?
- Is settlement possible?

SCENARIO 4: Unsafe Premises

A shopping centre failed to repair broken stairs despite repeated complaints. A visitor fell and suffered a fractured leg.

Student A – Injured Visitor

Your position:

- The stairs were visibly broken.
- No warning signs were displayed.
- Management had received previous complaints.
- You suffered a fracture and missed work.

Your objectives:

- Argue breach of duty by the occupier.
- Claim medical expenses and lost income.
- Seek general damages.
- Request a court order requiring repair of the stairs.

Student B – Owner's Legal Adviser

Your position:

- Maintenance was scheduled.
- The claimant may not have been paying attention.
- The danger was obvious.
- The injury may not be as serious as claimed.

Your objectives:

- Dispute full responsibility.
- Reduce damages.
- Oppose any permanent order.
- Propose financial settlement only.

What must be negotiated?

- Was there a breach of duty by the occupier?
- Was the injury foreseeable and caused by the unsafe condition?
- What types of damages should be awarded?
- Should damages be reduced due to contributory negligence?
- Is financial compensation sufficient, or should a court order require repair of the stairs?

D. TRANSLATION**11. Translate the following sentences.**

- a) V určitých prípadoch môže byť zodpovednosť uložená aj bez preukázania zavinenia žalovaného.
- b) Výrobca je zodpovedný za škodu spôsobenú nebezpečným výrobkom uvedeným na trh.
- c) Poškodená osoba môže uplatniť nárok na náhradu škody za bolesť a utrpenie, ako aj za ušlý zisk.
- d) Ak peňažná náhrada nestačí na ochranu práv žalobcu, súd môže vydať trvalý súdny príkaz.
- e) Zamestnávateľ môže niesť zodpovednosť za konanie svojho zamestnanca, ak k nemu došlo počas výkonu práce.

Legal English Essentials 1
part 1
Comenius University Bratislava
Faculty of Law
First Edition

ISBN 978-80-7160-787-8



FACULTY OF LAW
Comenius University
Bratislava

ISBN: 978-80-7160-787-8