<<法律英语阅读教程>>

图书基本信息

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前言

众所周知，美国法是英美法系的典型代表，其法律体系完整、内容丰富，既有传统的普通法，又有新兴的成文法；既有统一的联邦法，又有各州的法律。
同时，美国法在世界范围内影响深远，学习研究美国法意义重大，这不仅表现为许多国家都在研究美国的法律规则，借鉴其成熟做法，还表现为许多国际公约也参照美国法的理念、原则、规则制定。
因此，本书主要选取了美国法案例作为阅读理解材料，希望读者通过研读这些部门法的经典案例，学习权威、实用的美国法律知识，掌握地道、纯正的法律英语。
本书具有以下特点：首先，编者参考了大量的美国原版法学书籍，包括美国法学院教材及大量判例，力求实现教材内容的权威性和丰富性。
其次，本书作为法律英语阅读教材，选取了极具代表性的英文案例。
英美法系是判例法系，无论是法官还是律师都特别注重对判例的研究，因此学习美国法不能绕过案例。
通过研究案例，了解法官判案推理过程和有关法律、法规的适用，更有利于学习标准的法律英语。也更容易掌握美国法的精髓。
本书选取了几十个经典案例，以期最大程度的展现美国法原貌。
再次，本书在每个案例的后面都附有问答练习题，以期帮助读者检查自己学习研读案例的程度水平。
法律英语证书（Legal English Certificate，简称LEC）全国统一考试旨在为国家机关、涉外企事业单位、律师事务所等提供招募国际性人才的客观标准，同时督促国内法律从业人员提高专业英语水平。
LEC考试的题型、考查内容与美国律师资格考试相近，同时又突出了法律英语语言运用特色，并结合中国实际增加了法律英语翻译测试。
公检法机关和企事业单位涉外法务工作人员；从事涉外法务的律师、公司法律部门的从业人员；高等院校法律、英语、经贸等专业学生；愿意从事法律英语教学的教师以及社会上一切法律英语爱好者均可参加LEC考试。

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内容概要

随着我国入世和世界经济一体化进程的不断加快，国际交流合作日益增多，涉外法务活动空前频繁，法律英语的重要性日益凸显。
掌握专业英语已经成为现代法律人必备的职业素质。
由于法律英语的特殊性，国内一直没有一个科学的考核指标衡量法律从业人员专业英语的掌握程度。
法律英语证书（LEC）全国统一考试的推出为我国法律英语的教与学指明了方向，意义重大，影响深远。

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章节摘录

插图：JUSTICE REHNQUlST delivered the opinion of the CourtRespondent Shirley Jones bwught suit in California Superior Court claiming that she hadbeen libeled in all article written and edited by petitioners in Horida.The article was publishedin a national magazine with a large circulation in California.Petitioners were se~ed withprocess by mail in Horida and caused special appearances to be entered on their behalf'movingto quash the service of process for lack of personal[465 U.S.783，785] jurisdiction.TheSuperior Court granted the motion on the ground that First Amendment concerns weighedagainst an assertion of jurisdiction otherwise proper under the Due Process Clause.TheCalifornia Court of Appeal reversed'rejecting the suggestion that First Amendmentconsiderations enter into the jurisdictional analysis.We now affirm.Respondent lives and works in California.She and her husband brought this suit againstthe National Enquirer，Inc。
，its local distributing company，and petitioners for libel，invasion ofprivacy，and intentional infliction of emotional harm.The Enquirer is a Florida corporation withits principal place of business in Florida.It publishes a national weekly newspaper with a totalcirculation of over 5 million.About 600，000 of those copies ’almost twice the level of the nexthighest State，are sold in California.Respondent ’s and her husband ’s claims were based on anarticle that appeared in the Enquirer's October 9 ’1979，issue.Both the Enquirer and thedistributing company answered the complaint and made no objection to the jurisdiction of theCaifornia court.Petitioner South is a reporter employed by the Enquirer.He is a resident of Florida，thoughhe frequently travels to California on business.South wrote the first draft of the challengedarticle，and his byline appeared on it.He did most of his research in Horida ’relying on phonecalls to sources in California for the information contained in the article.Shortly beforepublication，South called respondent ’s[465 U.S.783，786]home and read to her husband adraft of the article so as to elicit his comments upon it.Aside from his frequent trips and phonecalls ’South has no other relevant contacts with California.Petitioner Calder is also a Horida resident.He has been to California only twice——once，ona pleasure trip，prior to the publication of the article and once after to testify in an unrelatedtrial.Calder is president and editor of the Enquirer.He ”oversee[s]just about every function ofthe Enquirer.”App.24。
He reviewed and approved the initial evaluation of the subject of thearticle and edited it in its final form.He also declined to print a retraction requested byrespondent.Calder has no other relevant contacts with California.

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