

<<法律英语阅读教程>>

图书基本信息

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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

版权页：插图：Civil cases typically involve disputes between individuals or groups of individuals. The three major areas of civil litigation are domestic relations law (e. g. , divorce and child custody) , tort law (e. g. , personal injury, property damage, or product liability) , and contract law (e. g. , written and oral agreements) . The following is an overview of the court procedures for civil cases.

Pretrial Procedures

A civil action is commenced by one party filing a petition. In most cases, this party is referred to as the plaintiff. In domestic relation cases, the person filing the petition is the petitioner. In the petition, the plaintiff sets forth the parties involved, the theories of recovery, and the relief sought. The petition is filed in district court and served or delivered to the opposing party. Generally, the opposing party is the defendant. In domestic relation cases, the opposing party is called the respondent. The defendant then will file pre-answer motions or an answer. An answer is a document denying or admitting liability. After the initial petition, the parties may file pretrial motions. These motions may request the court to dismiss the entire lawsuit, dismiss a claim or party, or limit the evidence to be presented at trial. The parties may also engage in discovery, a process to obtain information from the opposing party. A party may file interrogatories, which are written questions to be answered by the other party. A party may also take depositions, or ask oral questions, of a witness after the witness has taken an oath to tell the truth. Parties often reach a settlement or an agreement to resolve the lawsuit during this process. After the completion of the discovery process and the filing of any pretrial motions, the court will schedule a pretrial conference unless the parties have reached a settlement. During the pretrial conference, a judge and the lawyers for the parties discuss a wide variety of trial topics and the judge will set a trial date.

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