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Designing a Legal English Course for International Trade Law Students

The Faculty of Law at Masaryk University in Brno, the Czech Republic, offers several fields of studies, one of them being the three-year Bachelor's degree programme of International Trade Law. This programme includes two semesters of English for specific purposes which the students take in their first year of studies. However, as the programme is taught in a combined mode of study, there are only 10 lessons of English classes within two days per semester. Preparing a course which would efficiently improve the students' language abilities and skills in the international trade law environment appears to be rather challenging under such conditions.

In the paper I would like to share the ideas and experience from developing new materials for this course of English for international trade law. The syllabus includes Contracts, Export and Import Transactions, International Trade Terms, Payment Mechanisms, Commercial Agency, and the CISG, however, the lessons focus on professional soft skills, for example, negotiations, advising, writing emails, Internet researching and presenting. To cover the field specific vocabulary, language practice and soft skills development within the above mentioned limited time frame, the students need to work both before and after the classes as well. The course is, therefore, designed as a type of blended learning with three parts: pre-session tasks, in-class sessions, and after-session tasks. The pre-session tasks consist of preparing for the topic (developing writing and reading skills mainly) and include also interactive tasks facilitating the students work on soft skills. The in-class sessions thus concentrate on applying the information and performing interactive activities. The after-session tasks are intended to consolidate the acquired knowledge and enhance the skills.

Apart from describing the content of the course, I will explain the reasons for choosing the topics, present examples of tasks, and share the experience from the classroom practice.

Briede Jautrīte

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Problems and Solutions in Legal Interpretation and Translation: Experience of Administrative Judge

The paper will focus on practical issues in the field of legal interpretation and translation identified in the case law of the administrative courts of the Republic of Latvia. The aim of the paper is to draw attention to problematic questions and suggest solutions. The main issues addressed in this paper will be following.

By the application of EU legal rules it is not always possible to use legal terms in the same sense in which they are used in the national legislation. The purpose of the EU legislature using a specific legal term is not to give a possibility for every Member State to apply the term depending on understanding of particular term in accordance with national legal system. This would lead to lack of uniformity in the rights granted by EU rules. As it is underlined by the Court of Justice, the terms of a provision of EU law for the purpose of determining its meaning and scope must normally be given an autonomous and uniform interpretation throughout the EU. That interpretation must take into account the context of the provision and the purpose of the legislation in question.

In the interpretation of the Union rules, in order to clarify the content of the rule and to avoid doubts, it is useful to look in the wording used in other languages. The same applies to the text of judgments of the Court of Justice. There have been cases when an idea deriving from a judgment translated in Latvian language can be understandable only after comparing texts in other languages.

There also are some problems in translating legal concepts, which are not used in all legal languages. For example, in the judgment of the Court of Justice in Polish (authentic language in particular case) the concept "swobody uznania" is used, which corresponds to the German "Spielraum bei der Bewertung", but not quite exactly to the wording „discretion to assess” used in English translation. At the same this wording can be crucial for the national court to understand a margin of appreciation in the case.

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Teaching and Learning Foreign Languages for Legal Purposes in Croatia

In accordance with the Bologna Declaration, modern languages and communication skills have a growing importance in all professions. In the prospects of Croatian membership in the EU and taking into consideration the conditions of growing internationalization of law in general, the knowledge of foreign languages represents an indispensable prerequisite for international communication within the legal profession. Thus, teaching foreign languages in the field of law, especially English and German, is necessary not only for professional education of Croatian law students, but also for their mobility within the network of European universities as promoted by the Bologna Declaration.

This paper represents a case-study of current situation in teaching Legal English and Legal German in Croatian Law Schools. In the introductory part the authors analyze the status of foreign languages for specific purposes (FLSP) in the Higher Education System of the Republic of Croatia in general. The main part of the paper is dedicated to teaching Legal English and/ or Legal German as compulsory courses within the curricula of Croatian law faculties. After the description of the status and the position, the syllabus design and the methods used in teaching Legal English and Legal German in Croatia, some projects on teaching foreign languages to practicing lawyers will be presented. In the prospects of Croatian membership in the EU, specific education programs for lawyer-linguists have been introduced by the Law Faculties of Zagreb and Osijek, which will be presented in the last part of the paper. These programs, developed within the lifelong education project for lawyers, offer an opportunity to Croatian law students and young lawyers not only to improve their knowledge of Legal English and Legal German, but also to learn other languages of the EU, like French or Italian. These new programs represent an answer by Croatian foreign language teachers to current requirements of the European labour market and the challenges of the internationalization of the modern world.

Chovancová Barbora

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Reflecting the Changing Needs of Law Students in Syllabus Design

Traditionally, legal English courses targeted at second language learners have followed the pattern of teaching significant legal content related to the Anglo-American system of law. Many a student found him/herself having to study about various English peculiarities concerning equity, torts, trusts, land law, etc. Over the past decades, however, the entire situation has undergone a profound change. Globalization has meant that the individual legal systems, previously existing within local legal contexts, are increasingly coming into mutual contact. The continuing integration within the European Union is accompanied by the rising dominance of English, which has become the true lingua franca for spoken and written communication between experts not only on the international level but also domestically – various legal documents, judgments, etc. must be used and processed by lawyers in their everyday practice. This change is particularly noticeable in the countries of Central Europe, which joined the EU relatively recently.

The teaching of English to novice lawyers at law faculties needs to reflect the change. The new syllabi should not only refocus from the Anglo-American content to the European one but also place more emphasis on new skills that future lawyers will need. Although teaching materials appear to be plentiful, they are often little suited for the ESP classroom. Despite the appearance of some excellent textbooks over the past few years, there are still problems with their incorporation into the existing syllabi. The presentation describes the rationale behind the innovation of the legal English syllabus at the Faculty of Law in Brno, where a team of teachers has undertaken the task of revising the syllabus and implementing relevant changes. It outlines the structure of the new model and shares some of the materials developed for practical language instruction with a legal English content involving an increased focus on soft skills.

Dąbrowski Andrzej

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Teaching Legal English through Law-related Pop Culture.

The paper tackles the issue of teaching Legal English as a Second Language through law-related popular culture. Based on the example of different pop culture products (films and TV courtroom shows), a teaching approach is presented that integrates language and intercultural competences with subject-specific (specialist) knowledge. Moreover, the paper investigates the impact of law-related popular culture on the legal consciousness of its audience.

Dobrić Katja

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Croatia

The Future of Court Interpreting in Croatia

Court interpreting in Croatia is a very unregulated field especially regarding the training and the skills that are to be acquired in order to provide accurate translation at courts. One of the prerequisites according to regulations on certified court interpreters in Croatia is knowledge of the structure of judicial power, state government and legal terminology. Although the regulations prescribe that the training should last no longer than two months, the organisations providing such training shorten this to three or four days. Taking into account all that has been said one realizes that in such short time a person cannot be properly qualified to practise as a court interpreter. According to the EU Directive on the right to interpretation and translation in criminal proceedings Member States should provide adequate training in order to ensure the quality of interpretation and to avoid that suspected or accused persons complain that the quality of interpretation was not good enough to secure the fairness of the proceeding, which according to Article 2 of the Directive they have the right to. Since Croatia is about to enter the European Union on 1 July 2013 it will have to change its regulations on certified court interpreters in order to comply with this Directive. This paper will try to analyze the problems within the scope of court interpreter's profession in Croatia both in civil and in criminal proceedings. Several examples will be suggested as the possible model for modifying court interpreting in Croatia. Since this profession is often underrated by the national courts, the paper will suggest ways to prevent such views and point out the importance of good court interpretation in the context of supranational law.

Dzięciol Agnieszka

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Business English in the Eyes of Economics and Management Students at the University of Białystok

Economics and Management students have English classes once a week for two years. The course ends with an exam testing both oral and written communication skills. In order to prevent students from learning things they already know and make classes more interesting it was decided that students would learn Business English. The problem is, however, how to define Business English and what skills and knowledge are really useful for Economics and Management students at the University of Białystok. Another issue is the choice of course books available on the market, which are designed for people who already work in companies. Consequently, students learn things that are at least partially irrelevant to their current needs and interests. Moreover, 1st year students who start learning Business English at university might feel lost as they do not have the basic knowledge of economic processes and phenomena necessary to understand some Business English concepts. Finally, the question is how Economics and Management students use Business English knowledge. Do they have other classes in English? Do they have to write their BA/MA thesis in English? Do they read professional newspapers and magazines in English? etc.

This presentation shows the results of the survey conducted among 1st and 2nd year Economics and Management students. The aim of the survey was to see:

- how Economics and Management students understand/define Business English
- what Business English topics students find interesting and would like to learn
- what Business English skills students would like to learn
- what they believe to be the appropriate proportion of general English to Business English
- when and why they would like to start learning Business English (1st or 2nd year)
- how Economics and Management students use knowledge and skills gained in Business English classes

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Latin Maxims and Phrases in the Polish, English and French Legal System

The aim of the presentation is to examine Law Latin in the context of legal translation between Polish, English and French. Latin appears in the contemporary legal discourse in the form of maxims, short phrases and terms. Even though it constitutes an integral element of legal drafting, Latin often attracts little attention of legal translators. It is falsely assumed that Latin elements of the text do not require translation due to several misconceptions related to it. Firstly, Latin is generally perceived as a global language with no local variations in form. Secondly, Latin is believed to be the universal point of reference in international communication (which is true only in case of natural sciences). Thirdly, Latin legal phrases or maxims are thought to originate solely from Roman law, thus they express only Roman legal thought.

In the first part of the presentation we will address the above issues. To this end, we will briefly discuss the historical presence of Latin in the European linguistic context. Further on, we will present the results of our research into the application of Latinisms in the Polish, French and English legal systems. The subject of the research was the set of twenty Latin maxims and phrases that frequently appear in the decisions of Polish courts. During the first stage of the analysis, the items in question were verified in *Legalis* (the on-line service devoted to Polish law). The second stage of the research involved consultation of monolingual dictionaries of French and English legal language. During the third stage of the analysis, the practical use of Latinisms was checked in the on-line legal databases for English and French (Daloz.fr, Westlaw International). The presentation will be concluded with some comments on translation methods related to Latinisms.

Gortych-Michalak Karolina,

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Performatives in Cypriot, Greek and Polish Normative Acts. A Comparative Study.

The theory of speech acts, formulated by Austin and developed by Searle, is widely applied to analyze and classify various speech acts. In this paper it is assumed that legal texts, especially normative acts i.e. constitutions and laws, are direct speech acts. Normative acts are linguistic entities and they do not exist outside the language, thus the theory of speech acts might be applied to examine them. They are also considered performative utterances according to Austin's classification. In this paper my aim is to compare Cypriot, Greek and Polish normative acts on the basis of the so-called classical theory of speech acts. The author will compare various methods of expressing performativity in reference to the meaning conveyed by them. Furthermore, other exponents of performativity occurring in analyzed texts (the so-called extra textual methods of expressing performativity) will be compared as well. The results obtained while performing the analysis and comparison might be fruitful for scholars, lawyers and translators.

Górska-Poręcka Bożena

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The Role of Teacher Knowledge in ESP Course Design

As posited by Dudley-Evans and St. John (1997) among others, the ESP practitioner plays a variety of roles, including that of a researcher of learner needs, a course designer, and its actual teacher or learning facilitator. All these roles require certain knowledge of linguistic, cultural and pedagogical nature, which is gained through professional schooling, teacher training, and professional experience. This necessary teacher knowledge, comprising both relevant theoretical concepts (*knowing what*) and performance skills (*knowing how*), directly impacts on an ESP project at all its stages: planning, design, and implementation. The present paper focuses on the ESP teacher knowledge, or cognition, involved in course and syllabus design, and considers the importance of its various components, namely: knowledge of and about the target language, knowledge of and about the target culture (both national and related to learner specificity), and knowledge of and about language learning, and learning in general.

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The Concept of Notaries and Bailiffs in Legal English: Esteemed Members of the Legal Profession or Simply Clerks?

Abstract: In most civil law jurisdictions, notaries, and to a somewhat lesser extent, bailiffs, are recognized and licensed members of the legal profession. However, in certain common law jurisdictions, especially the United States, the use of these terms has a completely different connotation. In the U.S., notaries are clerks who require minimal education and certification, and who mostly simply verify signatures on legal documents. Bailiffs, technically, as that term is used in the U.S., are often a kind of police officer who provides security in the courtroom. This presentation examines these differences on the use of the terms notary and bailiff, and proposes clarifying standards for the future use of these terms.

Ivanc Tjaša

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Language Obstacles in Cross-border Taking of Evidence: European Evidence Regulation

The aim of the European legislature is to achieve effective legal guarantees and under the terms of Evidence Regulation the possibility of direct transmission and execution of the requests for the performance of taking of evidence, especially by means of providing standardised forms. The request from requesting Member State and all communications need to be drawn up in the official language of the requested Member State or in another language that the requested State indicated as acceptable for it. Documents, which the requesting court encloses with the request, must be translated into the language in which the request was written. Standardised forms can be used without the need of foreign language skills, as they are available in all official languages of Member States, courts can use the forms provided in their language to help them complete the form needed to be written in the language of requesting Member State. But completing of standardised form A does not mean only to tick the boxes but also that the judge from requesting state gives the information on the subject matter of the case and brief statement of the facts. If there is a request for expert opinion or witness testimony the requesting court must set forth the questions which should provide the judge of the requested court with guidance and therefore must be presented in coherent manner. For the requesting state there is also an obligation to provide the witnesses with explanation of their rights to refuse to testify under the law of the requesting state. This paper will address language issues in two routes for taking evidence: active and passive judicial assistance. Each law has its own terminology and exact translation of terms and legal concepts are sometimes not possible. A great advantage the regulation allows is the direct taking of evidence by requesting court. It is possible to use the official language of the requesting court, but only if all the persons participating are able to understand and speak that language.

Jendrych Elzbieta

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Developments in Business English Teaching

The fast changing business environment and ever-growing demand facing business communicators in the 21st century pose new challenges to language learners and teachers alike. Competitive organizations attempt to recruit employees who have excellent linguistic competence coupled with nonlinguistic competences and skills (pragmatic and social competence as well as cross-cultural, interpersonal, business and managerial skills). It is not easy to acquire these additional competences and skills. However, most of them are transferable and can be greatly improved if students are provided with adequate teaching materials and appropriate input from the teacher. The aim of the paper is to address the complexity of business English teaching of today. Firstly, it presents an overview of the changes that have occurred in the practice of teaching business English in the last decades. It also sheds some light on the increasing importance of needs analysis. Then it presents new developments in teaching English for business communication to pre-experienced adult students at the tertiary level of education. These developments include (1) content-and language integrated learning, (2) use of didactic case studies, (3) corpus studies conducted for teaching purposes and aimed at identifying high-frequency language elements: terms, business lexis items, collocations, formulae, acronyms, etc., that need to be prioritized in language courses (4) more effective course-books with higher terminology indexes, (5) extended use of online materials and (6) teaching business culture and business skills. The new approach is more challenging for business English teachers and requires much higher qualifications such as content knowledge and business skills. In order to increase students' employability and promotion opportunities we need teaching materials and approaches that help streamline students' efforts and increase the effectiveness of language courses.

Kraśnicka Izabela

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Living or Dead? Specificity of the Language of the US Constitution

The original text of the US Constitution written over 200 years ago still constitutes the supreme source of law in the American legal system. The seven articles and twenty seven amendments dictate understanding of fundamental principles. The paper aims to present the evolution of the US Constitution's language interpretation as provided by its final interpreter – the US Supreme Court. The example of the Second Amendment will be analyzed to present the change in understanding of language and grammar and as a consequence – the sense of the right to keep and bear arms in the light of the Supreme Court's decision in the case of *District of Columbia v Heller* – Case (554 U.S. 570 (2008)). It will once again argue for the statement of Charles Evans Hughes, former Chief Justice of the United States Supreme Court: “We are under a Constitution, but the Constitution is what the judges say it is...”.

Krepelka Filip,

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English as de facto the First Language in the European Union and in its Law

The European Union is multilingual. It has twenty-three official languages (plus one since ongoing enlargement). All laws are published in these languages. There is a considerable effort to translate important judgments, decisions and documents of general importance in all these languages. The European Union has the largest translation and interpretation services. Expenditures for European multilingualism are considerable.

English is traditionally listed among three internal working languages of the together with French and German. Nevertheless, it has become gradually the first language of its operations thanks its widespread knowledge among members of European elites. In addition to it, English has gradually become language of global communication.

General resort to English as sole language of communication of elites allows reduction of translation and interpretation in debates, quick exchange of opinions and genuine international reflection of most aspects of nature, life and society, including studies of various aspects of international and European integration.

Nevertheless, groups of representatives of the member states and other European countries consist mostly or even exclusively of people with acquired knowledge of English. English used in international communication is thus simplified and severely influenced with modes of thinking existing in spheres of other languages. Several linguists conclude that specific Euro-English emerges in the European Union, albeit its institutions try to foster use of standard "British" English.

General use of English language causes specific troubles for law and for legal studies. English is language of Anglo-American legal system (common law). Most European countries, however, belong to continental legal system (civil law). It is thus uneasy to express ideas and find adequate terms related to continental legal thinking in English. For example, German "das Gesetz", Czech "zakon" or Polish "ustawa" are good equivalents. Is the best English equivalent "law", "act", or "statute"?

Writing and speaking about laws, including European one, thus requires continuous seeking of adequate English terminology. In addition to it, education of legal disciplines in English for students who come mostly from non-English speaking countries requires special explanations. My planned oral and accompanying written contribution to the conference LANGUAGE AND LAW TRADITIONS, TRENDS AND PERSPECTIVES organized by Bialystok Legal English Centre on 13-14 June 2013 shall thus discuss various features, effects and consequences of gradual switch to preferential use of English in the European Union and to its exclusive use in its international reflection.

Łachacz Olga

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Olsztyn

Mańko Rafał

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Multilingualism at the Court of Justice of the European Union: Theoretical and Practical Aspects

The principle of multilingualism is deeply embedded in the legal framework of the European Union; indeed, it lies at the heart of the idea of European integration, reflecting the Union's respect towards national traditions of the Member States. Moreover, the principle of multilingualism is invoked as a particular guarantee of citizens' participation in the life of the Union. Although all 23 official languages of the Union enjoy equal status as a matter of principle, in practice choices have to be made: on some occasions such as during judicial deliberations *in camera* at the Court of Justice or during internal meetings of the institutions, it is deemed more practical to resort only to selected working languages. The aim of the present paper is to reflect upon the practical aspects of the linguistic policy of the Court of Justice of the EU in the light of a broader theoretical background and legislative framework. The choice of this institution for the case study is justified by the fact that it is the Court which acts as the ultimate interpreter of the Treaties and of secondary legislation, whose linguistic versions are considered to be of equal binding force. Furthermore, the linguistic challenges faced by that institution are overwhelming, with preliminary reference rulings coming from all Member States and the need of translation across 529 potential linguistic combinations.

The main thrust of the contribution will focus on the practical aspects of the linguistic regime at the Court, with particular reference to the central role of the lawyer linguist as the intermediary between the Court and the various legal languages of the Union. The paper will draw both on an analysis of the published case-law of the Court from the point of view of the role given to multilingualism in legal interpretation, as well as on empirical data collected by way of interviews with lawyer linguists from Court's Directorate General for Translation.

Luczak Aleksandra

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Scaffolding the Writing, Component of the English for Law Syllabus at University

According to the research conducted in 2010 among law professionals involved in staff recruitment for Magic Circle law firms, the biggest problem law graduates have is that *they can't draft*. This opinion, therefore, justifies the effort to include writing in the ELP (English for Legal Purposes) syllabus as early as possible.

This paper will constitute an attempt to model a writing component of an ELP syllabus for a tertiary course attended by pre-experienced law students with no or little experience of academic or legal writing. Overlapping or common elements of academic and legal writing, i.e. linking words, paragraphing, grammar will be identified and sequenced in order to create an introductory base for writing for legal purposes.

Types of texts that lawyers draft will be selected and used as the scaffolding for writing tasks specially designed to suit the students' proficiency and expertise which include letters, memoranda, case briefs, reports. Model texts will be presented and used for the writing tasks scenarios. A list of references of high quality samples will be drawn up to support teachers offering writing for law classes.

Special emphasis will be put on the use of plain English, appropriate tone and formality. The skill which future lawyers need is not only drafting but also redrafting, balancing between texts, paraphrasing, defining, redefining, simplifying complex legalese or amending documents that written too informally.

The paper is intended to be a practical guide for teachers who need to run writing for law classes. It will provide the teachers with advice on how to teach students draft modern documents by sequencing and selecting the content that reflects the needs of practising lawyers. It will show how legal writing stems from academic and general writing.

Matijašević Miljen

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The Functionalist Approach in Teaching Legal Translation

The paper deals with some problems of legal translation with a particular regard to the skopos theory approach, with a special emphasis on the practical implications of these problems to legal translation instruction. The author starts with a short overview of the development of translation theory in general, and focuses on presenting the principal theoretical postulates of the functionalist approach, i.e. the skopos theory. The second part deals with some specific features of legal discourse, with an emphasis on their impact on translation. A brief analysis of its lexical, syntactic and textual features is presented. The third part deals with specific problems of legal translation from and into the English language, considering the specific features of the legal systems which use English. The fourth part puts the above discussed issues in the context of the circumstances present in the Republic of Croatia over the last several years pertaining to the activities of legal translation for the purpose of accession to the European Union. Both the translating of the *acquis* and the translating of Croatian legislation into English for the purposes of negotiation with the European Commission are considered. Possible functions of translated legal and legislative texts are analysed from this viewpoint, as well as various possible related approaches to solving translation problems. The author pays special attention to issues in translating cultural elements, considering that they tend to show special sensitivity to the function of a translated text. Finally, practical application of the above considerations regarding legal translation is presented in the last part of the paper. Having taught courses in legal translation to lawyers aspiring to work as legal translators in EU bodies, the author presents some methods of teaching which take account of the skopos theory, as well as the reception of such teaching methods and their outcomes.

Matulewska Aleksandra

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A Theory of Parametrized Legal Translation. A Case Study of Finding Equivalents at the Level of Grammatical Structures, Collocations and Terms for the Purpose of Polish-English Translation

The work presents a tentative theory of legal translation illustrated with its practical implementation. An inalienable component of the theory proposed here for consideration is the parametrization of translational reality with the purpose of making the process of legal translation accessible to investigation, the author resorts to a more precise theory of legilinguistic translation within which primitive terms, postulates and directives play a crucial part. In order to describe legal translation reality and to characterize translational objects and relations functioning in such reality relevant dimensions are used. The dimensions secure a systematic examination of the translation reality and process.

The research has been inspired by numerous problems faced by translators of legal texts in Poland and abroad. The aim of the research is to show how the existing linguistic and translation theories may be applied to legal translation practice at the level of grammar and terminology. Additionally, theoretical aspects of legal translation have been neglected so far to some extent. Some proposed theories are hard to verify and apply in practice and are not formalized.

The aim of the theory is to propose laws (postulates) and dimensions (which are sets of properties of legal reality objects and legal translation relations) used to characterize legal texts and their component parts for the purpose of establishing relevant meanings and choosing sufficient translative equivalents for a selected legal communicative community of translation recipients.

The work strives to present in fact a new paradigm of inquiry into theoretical and practical legal linguistic translatology. The theoretical and practical issues elaborated on in the paper are illustrated with examples from English and Polish legal texts.

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Self-regulated L2 Reading as a Springboard for Enhancing Other Language Skills in Legal English Students.

Reading in professional second language (L2) settings appears to be gaining in popularity as the majority of countries around the world are becoming multilingual and English continues to spread as a lingua franca. Consequently, increase in the demand for legal professionals with a good command of legal English creates the necessity to develop specific legal English skills. Adult professionals as well as law students, increasingly interested in pursuing their professional careers in a foreign language context, are no longer satisfied with general legal English courses. Thus, teachers should put stronger emphasis on developing reading, writing and speaking skills. Both learning and teaching these skills is complicated due to the specificity and complexity of the legal English discourse, hence it takes much effort to satisfy students' needs. The author of this paper, a legal English instructor at the Department of Law at the University of Warsaw, discusses the process of planning and conducting a legal English reading course, accompanied by a reading strategy training, as well as the action research designed to measure its efficiency. The aim of the study is to investigate the correspondence between a specifically designed strategy training and teaching students to plan and monitor their learning. The paper presents the quantitative and qualitative data provided by the questionnaire responses of the participants of the course. This comparative study shows that raising strategies awareness among the course participants translates into their reading performance, reading behaviour and generally the way of perceiving reading tasks. Moreover, the author discusses the role of effective reading in further language skills development, students' growing confidence in speaking as well as mastering complicated writing skills in legal English.

Piszczy Anna

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Language of Antitrust in English-Polish Translation – Some Tendencies

The legal status of the Polish language is defined by the Act of 7 October 1999 on the Polish language. According to the Act, the Polish language has to be used in the pursuit of public tasks within the territory of the Republic of Poland. This language is official language and language of law. In Poland, the sources of antitrust law are both EU law and Polish law. There are two reasons for an offered analysis. First of all, such a need derives from the fact that there exist some ‘problematic’ Polish-language versions of EU legislation, in particular numerous regulations of the EU Commission or the EU Council. Sometimes, provisions that are identical in English-language versions, after translation into Polish differ from each other considerably. So, the first problem is that we are presented with a chaotic translation of EU antitrust legislation. The second reason is that ever since Poland has become a part of the broadening European integration, the Polish competition law, both the Act on Competition and Consumer Protection of 2007 and numerous regulations, are strongly ‘Europeanised’. After a lapse of over two decades, during which time Polish antitrust law underwent profound changes, many new linguistic elements exist in both Polish language of antitrust law and Polish legal language. The latter, unlike the first, is characterised by the presence of Anglicisms. Such is, in fact, the case in the draft explanatory notes accompanying the draft Act amending the Act on Competition and Consumer Protection and some other acts (there appear words such as *leniency* or *settlements*). It seems that an increasing degree of harmonisation is being achieved in the field of antitrust but although concepts of Polish antitrust law change in a pattern similar to that of the EU or its Member States, at the same time we observe that in Polish language of law and Polish legal language numerous disharmonised elements coexist.

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An ESP Teacher as a Researcher

The field of language teaching, both TESOL and ESP, is undergoing rapid changes. It responds to new educational trends and paradigms and institutions face new challenges connected with changes in curriculum, national tests and student needs. As a result, language teachers need to update their professional knowledge by taking new roles, such as a teacher-researcher. The purpose of this paper is to present new developments in the area of general language teaching research, with a particular focus on methods of qualitative research that can be found useful while examining certain aspects of teaching in the field of ESP, such as case studies, action research, interviews or observations. The presentation of research methods is followed by a review of research practice focused on pedagogical aspects published in recent years in ESP journals, such as *English for Specific Purposes*, *The Asian ESP Journal* or *Journal of English for Academic Purposes*. Of major interest are articles on Legal English. The article concludes with suggestions for further study.

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Some Examples of Incongruence When Translating Legal Texts of Title Deeds from Bulgarian into English and Vice Versa

There are several degrees of terminological incongruity, ranging from identical concepts or near equivalence to conceptual voids without any equivalents in the TL. The degree in question can be measured as differences between essential and accidental features (Sarčević 1997: 237-8).

The paper attempts to find the equivalents of some terms used in the context of the title deeds. Bearing in mind the huge difference in both legal systems that leads to the incongruence of terms it could be said that it is a highly challenging task to translate them. There is an analysis presented of the definitions that could be read in the bilingual dictionaries, the ones of Bulgarian and English dictionaries. Finally, what follows is the conclusion of the research where functional equivalents of the terms presented are proposed.

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Moscow, Russia

Challenges of Teaching and Learning Legal English

The purpose of this research is to identify the complexity of the tasks teaching and learning Legal English presents. The work of lawyers at the international market demands extremely high level of training. The goal is to show that this kind of teaching focuses on the English needed for a specific activity. Lawyers need to use specialized lingo and communication patterns to function in an international environment. Hence, raises the issue of teaching expertise of a TEFL teacher.

The major dilemma in ESP teaching is Language or Content. It has become clear that Legal English can be taught provided the background of professional knowledge has already been taught. The aspects explored are the language competence required to be successful in mastering ESP programme in Law. The research has showed it is suitable only for upper-intermediate to advanced students.

Topically the curriculum in Russian University of Economics contains a wide variety of legal terms and vocabulary and has been developed using authentic legal texts and documents. The students are introduced to general legal vocabulary related to legal systems, legal professions and functional language lawyers need in their daily working lives.

However, how much terminology, how many topics, methods of active leaning we incorporate in Legal English teaching, we will never achieve our goals until we develop comparative analysis and self-study reference skills. Thus, we will enable students to use their knowledge acquired while studying disciplines of civil-legal cycle, making external simultaneous micro and macro comparisons of law institutes of various states.

We think that such an analytical approach will train a true legal professional: a student will apply the gained skills of functional comparison while looking for a method (legal norm or institution) by means of which the problem of international business may be solved.

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International Competitions for Law-Students: Development of Communicative Competence

Communication skills are crucial for lawyers whether they talk to a client, give a speech in court or negotiate. Future lawyers should know how to present their point of view in an impressive and effective way. Moreover, if they want to be successful in the international field they are to be able to do so in English as well. One of the ways to acquire and develop English language communication skills is to participate in international competitions for law-students.

Participation in an international competition is a strong motivation for mastering Legal English. But a good command of English is not enough to succeed, professional communication skills being even more important. Unfortunately, Russian law schools curricula contain mostly theoretical courses so when starting to train law-students for such competitions teachers are to cover general aspects of lawyer-client or lawyer-lawyer communication, issues of intercultural contacts along with appropriate English language skills.

A rather long competition list can be found in the Internet. Some accept any team (entrance fee), some – the winners of national rounds. Our students participate in national rounds of Jessup Competition (since 2002) and International Client Consultation Competition (ICCC since 2010). This year our team will participate in International Negotiation Competition (INC). I train students for ICCC and INC which are different from most competitions (moot courts).

ICCC is a simulation of an initial client interview so participants are to demonstrate a high level of lawyer-client communication. To get well prepared students should learn specific language patterns of interview beginning and parting, develop listening skills (active listening, empathy), gain skills of acquiring information, and elaborate critical thinking. During the training we drill necessary communicative patterns, practice question asking and summarising skills, conduct interviews. Taking lawyer-client turns students compose cases on a given topic enhancing their legal knowledge.