

EULETA Workshop 2017

ENHANCEMENT OF WRITING SKILLS IN LEGAL CONTEXTS

23 September 2017

**Masaryk University Language Centre
Brno, Czech Republic**

Members: €60

Non-members: €90



euleta
European Legal English
Teachers' Association

Agenda

The Enhancement of Writing Skills in Legal Contexts workshop will be hosted by Masaryk University Language Centre, Komenskeho namesti 2, 602 00 Brno, Czech Republic, on 23 September 2017

Registration and Venue

Location: Masaryk University Language Centre,
[Komenskeho namesti 2, Brno, Czech Republic](#)

Welcome Address

Speakers: Libor Štěpánek, Director (Introduction)
David Best, President, EULETA

Schedule of Events

Friday 22 September

19:00: Meet & Greet, [Stopkova Pivnice, Česká 163/5, Brno](#)

Saturday September 23

8:00: Registration opens

9:00 – 09:30: Welcome Address with Libor Štěpánek, Language Centre Director, and David Best, EULETA President, Room 300

9:30 – 10:30: Presentation 1, Room 300

10:30 – 11:00: Coffee break

11:00 – 11:40: Presentation 2, Room 300

11:50 – 12:30: Presentation 3, Room 300 + Presentation 4, Room 213

12:30 – 14:00: Lunch, [Restaurant Pavillon, Jezuitská 6, Brno](#)

14:10 – 14:50: Presentation 5, Room 300

15:00 – 15:40: Presentation 6, Room 300

15:40 – 16:10: Coffee break

16:10 – 16:50: Presentation 7, Room 300

17:00 – 18:00: EULETA AGM, Room 300

19:00: Dinner at [Lokál u Cajpla, Kozí 115/3, Brno](#)

Sunday 24 September

9:30: Guided Tour: Brno, city judiciary, [Komenskeho namesti 2, Brno](#)

Cost

Members – €60.00 • Non-members – €90.00

The registration fee includes participation in the workshop, a workshop pack, two coffee breaks, and lunch on Saturday.

Contact

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PRESENTATIONS

1. Achieving Proficiency in Legal English

László Szabó, Independent Translator

Bio

Szabó László is a certified English-Hungarian translator. He worked as an in-house translator at a leading Hungarian translation company for eight years, then as a freelancer, and has been working for major UK and Hungarian translation companies, translating texts in law. He holds a degree in teaching English, covering four years of studies in linguistics. Then he completed a six-month law course provided by the University of London, and also passed TOLES at its advanced level. In summary of more than fifteen years of legal translations, he has written a book on legal English, duly proofread by a U.S. attorney and linguist, as well as an Oxford Law Professor. His lecture will give insights into training students to achieve native professional level in legal English.

Abstract

Writers of legal English texts face three major challenges in their pursuit of excelling in communication in legal English: namely (1) their mother tongue may have a significant-to-minor impact on the text to be produced; (2) general English differs considerably from legal English; and (3) legal English is a separate realm of the language with thousands of legal terms requiring their own verbs, adjectives and complements, in addition to numerous characteristic sentence structures.

We must teach our students these features for them to excel in legal English. Without knowing what verbs, adjectives and complements are in use with a vast number of legal terms, it is impossible to compose texts that sound authentic. This lecture provides an overview of a systematic approach to teaching, as well as learning legal English, with the ambitious goal of training them to be able to produce legal English texts. It will focus in particular on the importance of knowing near-synonyms of legal terms for elaborate expression; how to teach particular terms and their collocations; how to use a vast reference material to create exercises to improve legal writing; how to use a description of practice areas (terms, collocations and sentence patterns); and how to use and teach sentence patterns associated with legal terms to achieve excellence in formulating sentences.

This knowledge and these language skill are indispensable for developing learners' ability to create flawless and authentic sentences, the core of all writing skills.

Contact Details

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2. Improve Your Contracts By Using a Clear Structure

Alona Kiriak, James Cook Languages

Bio

Alona Kiriak received her LL.M. in International Business Law in 2015 at Central European University (Budapest). Her main areas of interest include Intellectual Property and Alternative Dispute Resolution. Currently she works as a contract specialist at a pharmaceutical consultancy firm in Prague and teaches specialized Legal English courses.

Presentation Abstract

Better structure in contracts contributes to easier understanding, saves time for both drafter and reader, and helps avoid ambiguity while interpreting contractual terms. The presentation discusses the following issues:

- How to make references within the document
- What to put on the first page
- Where to put a date and how to write it
- How to use examples or bullet-points in contracts
- How improved structure helps to reduce wordiness

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3. Teaching Anglo-American Legal English to Legal Practitioners

Franz J. Heidinger, EULETA

Bio

Franz Heidinger holds both a law and a language degree from the University of Graz and an LL.M. degree from the University of Virginia (USA). He is a founding partner of Alix Frank Rechtsanwälte GmbH. In his practice, he focuses on domestic and international contract work, labor law, and IP law. He regularly holds courses for the Austrian bar association, the Austrian Association of Certified Court Interpreters and other organizations. In his 30 years of teaching at various universities, he has taught more than 10,000 lawyers and linguists and assisted them in becoming more internationally minded. He is a court-appointed and certified interpreter for English and a well-known expert for the Anglo-American legal system, as well as a board member of the Austrian Association of Certified Court Interpreters. He is Vice President of EULETA. He has published several books and articles, in particular on “law and language”.

Abstract

For two decades, the teaching of ESP to lawyers was the prerogative of classic language teachers. The emergence of the interdisciplinary approach to Legal English marrying linguistics with applied comparative law calls not only for a new methodological approach but also primarily for a new “type” of teachers and trainers, i.e., lawyer-linguist who have a profound background in both fields. These “hybrids” are highly sought after in today’s dynamic legal market, which is in dire need of professionals who are capable of minimizing discrepancies in the equivalence and quality of both written texts and the spoken word.

Based on 30 years of experience and continuous development, Franz J. Heidinger proposes a systematic curriculum, as well as a comparative law based methodology for linguists to gain in-depth legal knowledge of three separate jurisdictions (US, UK, and currently Germany or Austria). He also provides linguistic education to lawyers, allowing experts in one field to broaden and deepen their expertise of the other field and become highly skilled hybrid lawyer-linguists in Anglo-American Legal English.

In this hands-on workshop, participants will explore this curriculum and experience its teaching approach first hand.

Contact Details

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4. Developing Confidence in Writing Law-Related Texts for Under- and Post-Graduate Students of Legal English

Barbora Chovancova and Alena Hradilova, Masaryk University Language Centre

Bio

Barbora Chovancová is an assistant professor of English for Legal Purposes at Masaryk University Language Centre. She holds a PhD in English linguistics, having specialized in pragmatic aspects of courtroom interrogation. Apart from her extensive experience in ESP teacher training, she has also been active in the area of designing and developing ELT materials. Recently, she has dealt with topics such as mediation in ESP, peer review and student autonomy.

Alena Hradilova:

Education

- MA (English language and literature; mathematics) Masaryk University Brno, Czech Republic
- PhD (English linguistics) Masaryk University Brno, Czech Republic

Areas of Practice

- ESP - legal English
- academic writing
- videoconferencing in English
- syllabus and materials development
- teacher training

Professional Experience

- assistant professor in legal English at Faculty of Law, Masaryk University
- British-Council-trained teacher trainer
- Deputy Head of Masaryk University Language Centre, responsible for quality of education, staff development and study programmes

Abstract

It is essential for both under- and postgraduate students to develop their writing skills, but each of these groups have markedly different needs. While it is useful for the undergraduates to focus on practical skills such as lawyer-client correspondence, the primary focus for the postgraduates is academic skill development. However, what is common to both these groups is the need of scaffolding and a step-by-step, confidence-building approach, the underlining principle in effective teaching.

The skills taught to undergraduates need to be not only practical but also transferable. After being introduced to the rules of letter writing, they are trained to reflect on their own achievements through techniques for self and peer evaluation. Student-generated examples of these will be presented.

The more theoretical approach crucial for postgraduate student instruction will be demonstrated by the structuring of a legal academic text, a topic they are asked to address while taking into consideration issues such as traditions and audience awareness. We will also show how an expert in academic writing can help them in the process by providing clear instruction and constructive feedback.

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5. The Art of Drafting Legal Correspondence: Teaching Politeness Strategies to Second Language Learners

Helen Campbell, Lecturer, University of Trier School of Law, Germany

Bio

- J.D. , Temple University School of Law, Philadelphia, Pennsylvania, USA
- M.Ed.-TESOL, University of Missouri, USA
- English Language Fellow, US Department of State
- Fulbright Scholar, US Department of State
- Lecturer, Anglo-American Law, University of Trier (Germany)

Abstract

Well-written legal letters can effectively accomplish a multitude of goals. Such correspondence, however, is potentially rife with unwelcome speech acts such as demands, disagreements, refusals and warnings. To soften their impact and effectively influence the addressee's behavior, legal writers must develop a range of politeness strategies. Among these are tact, deference, restraint, gratitude, camaraderie and showing respect.

For the L2 learner, however, the challenges of acquiring these strategies are magnified: he or she needs focused exposure to the target language, both in terms of its communicative uses in specific contexts and its manifold cultural nuances. And since "politeness" is defined differently around the world, this could require a lifetime.

Awareness-raising activities, however, can accelerate the learning process and build writer confidence. In this presentation, I will discuss these activities, their implementation in the classroom, and any implications for further development.

Contact Details

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6. Consistency Is In Lexical Variation – Working Towards Coherence of Written Legal Communication

Edyta Więclawska, University of Rzeszów, Poland

Bio

Edyta Więclawska is an assistant professor at the Institute of English Studies, University of Rzeszów, Poland. Her educational background includes: MA in English Studies (Maria-Curie Skłodowska University in Lublin; The Faculty of Humanities, The Institute of English Studies), MA in Law (The University of Rzeszów in Rzeszów; The Faculty of Law), Post-graduate studies in German Law (Die Schule des Deutschen Rechts), and a PhD with distinction in linguistics (University of Rzeszów).

She was a visiting lecturer at Yeni Yüzyil University, Istanbul, Turkey, Ivan Franko National University of Lviv, Lviv, Ukraine, and University of Leeds, Great Britain. She was the visiting scholar at Eichstätt-Ingolstadt Universitaet, Germany, Albert-Ludwig Univesrität, Freiburg, Germany, Trinity College, Dublin, Irland and Ludwig-Maximilian Universität, Muenchen, Germany.

Her current research is focused on legal linguistics and specialised translation. Her contribution to the research into legal stylistics and legal translation includes papers and chapters in monographs. She has experience in the editorial work (Studia Anglica Resoviensia, HEXIS; Theory, Society and Culture).

Abstract

The presentation addresses the issue of accurate legal translation in the context of lexical choices in determining target language equivalents. The research task is based on the assumption that those who translate legal texts translate concepts not terms. Concepts are materialised in terms which are constituted via culture-specific, discipline-specific, and text genre-specific, yet in a sense are an arbitrarily imposed match between the signifier and signified. Translators often face the chal-

lenge of translating the same lexical item in a variety of ways depending, in most general terms, on wider textual context. The findings presented were formulated on the basis of the data gathered in corpus-driven analysis. The corpus is made up of the contract law texts that are processed electronically for the purpose of the analysis. The analysis is both qualitative and quantitative. The author poses the thesis that legal texts are distinctive in terms of lexical frequency data and writing of legal texts can be enhanced via bringing in systemic approach towards conceptually motivated differentiation of terms used in different contexts.

Contact Details

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7. English: An Emerging Parallel Academic Language Besides National Language

Filip Křepelka, Faculty of Law, Masaryk University, Brno, Czech Republic

Bio

Filip Křepelka is a lecturer (since 1997) and an associate professor (since 2009) of European Union law at the Faculty of Law of Masaryk University (Brno, Czechia) and head of the Department of International and European law (since 2015). He also teaches medical/healthcare law. He publishes, among others, on liberalization of trade in services, state aid rules, consular protection, federalism in the EU, and multilingualism in the EU and its law. He was law clerk to Vice-president of the Constitutional Court (1998-2003) and expert for European law at the Supreme Administrative Court (2004-2008).

Abstract

Dominance of English as global lingua franca is undeniable. English has pushed other world languages (traditionally German, Russian, or French in Czechia) to an inferior position. It dominates international academic communication: conferences and publications and education of international students are realized solely in English.

Academic life starts to be anglicised at the expense of Czech as national language. Recent introduction of requirement to submit a thesis for “habilitation” in an international language (effectively English) from 2021 could be downplayed as excess. However, it reflects broader tendencies.

Teachers are demanded to publish extensively in English and teach it to ordinary students who shall include incomers. There is preference for international teachers without demand of apprehension of national language. These changes are controversial. Some academics perceive them as important for modernisation and push for it; others perceive it as unnecessary and dangerous.

This phenomenon is both a challenge and opportunity for university lecturers of English. To enable high-quality English publications and education, knowledge sufficient for reception of information in English and occasional use in limited international communication shall be gradually enhanced. Not only students, but also both junior and senior teachers shall be included. New methods and, unsurprisingly, investment are necessary.

Extensive texts based on elaborate argumentation and terminology embedded in national law with limited impact of international and European law render Anglicisation of law in academic settings more troublesome than in other fields of sciences. Unsurprisingly, the Faculty of Law is a stronghold of objection. Care for national language and other languages are highlighted.

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