

INTRODUCTION

Strategies for Legal Case Reading and Vocabulary Development was written for students who plan to enter either a J.D. (Juris Doctor) or an LL.M. (Master of Law) program at an American law school. Students entering a J.D. program, a three-year course of graduate studies in the United States, come from a variety of disciplines, including nursing, engineering, linguistics, and business. They may have had little exposure to the American legal system and the unique demands of law school life. Students planning to enroll in an LL.M. program generally have a law degree. However, many of them are international lawyers who are unfamiliar with the American legal system and do not speak English as a first language. The purpose of this text is to prepare pre-J.D. and pre-LL.M. students for legal studies by providing them with tools necessary to handle daily course work. The text focuses specifically on legal case reading and vocabulary because of the heavy case-reading loads and unfamiliar legal vocabulary students encounter, especially during their first year of law school.

The goals of the text are as follows.

- **To provide an overview of the American legal system.** Readings in the text cover a variety of topics on the American legal system, including federal and state court hierarchy, the common law, the jury system, the civil litigation process, statutory interpretation, and federalism and the U.S. Constitution.
- **To enable students to read legal cases.** Cases are found in all three parts of the text. Because the common law system is unique to the United States and the British Commonwealth legal systems, Part I is primarily dedicated to reading common law cases from the first-year subject areas of torts, contracts, and property. These cases were also chosen because they emphasize various aspects of the American legal system discussed in the readings in Part 1. Several common law cases are accompanied by statutory law cases on the same legal topic.

Part 2 contains cases on statutory interpretation. They illustrate the strategies the court uses to interpret statutes that apply to specific legal questions. Part 3 contains constitutional law cases, two of which cover the same legal topic.

While it is impossible to read a legal case without learning about a specific point of law, an important aim of the text is to help students develop case-reading strategies. This requires an understanding of the basic structure and function of a case. The text includes information on case-reading strategies in readings 2, 3, 5 and 6 as well as case briefing (summarizing).

- **To enable students to brief and analyze legal cases.** Because many law professors use the Socratic method of teaching, students are expected to actively participate in in-class briefing, analysis, and comparison of cases. Questions for Discussion are found after each case. These questions are meant to help students prepare for the oral work of law school classes. Also included are “hypotheticals,” which are often posed by law professors, as well as one-paragraph writing assignments and questions for students from other countries on their own legal systems.
- **To enhance students’ legal vocabulary.** Legal vocabulary development is emphasized in most of the readings. In addition, the text offers 25 generally short vocabulary development tasks that focus on common legal terms not specific to any one area of law. The tasks are meant to help students develop various vocabulary-learning strategies, including sensitizing themselves to word collocations or combinations, guessing the meaning of words in a legal context, and examining different meanings of a term. Special aspects of legal language are also discussed, such as the use of archaic language, doublets, and Latin terms.

The answers to the vocabulary development tasks and Reading 5, Exercise 2, have been included in the text.

Many of the excerpts in the vocabulary development tasks come from legal cases, a few from law reviews. Tasks have been developed using two corpora, Westlaw and the University of Michigan English Language Institute’s legal English corpus.