# Contents

*To the Student*  
ix  

*To the Teacher*  
xi  

**Part 1: Introduction to Law and Its Language**  
1  

**Chapter 1: Origins of the American Legal System**  
3  
Discovering Connections  
3  
Activity  
3  
Legal Listening and Speaking  
4  
Introductions  
4  
Legal Thumbnail  
6  
Founding of the U.S. Legal System  
6  
The Common Law System  
11  
Precedent and *Stare Decisis*  
12  
Holding v. Dicta  
15  
Classification of Law in the United States  
18  

**Chapter 2: Legal Authorities and Reasoning**  
25  
Discovering Connections  
25  
Activity  
26  
Legal Listening and Writing  
26  
Essential Terms  
26  
Putting the Terms to Use  
27  
Legal Thumbnail  
29  
Understanding Legal Citations  
29  
Locating the Information  
31  
Understanding the Court System  
32  
Reading the Case  
36  
Case Briefings  
43  
Shepardizing  
47  
Legal Reasoning  
47
Chapter 3: Criminal Law 53
   Discovering Connections 53
   Activity 53
   From Morality to Law 54
   Simplification and Interpretation 54
   Legal Thumbnail 56
   Theories of Punishment 56
   Classification of Offenses 58
   Criminal Liability 59
   Specific Crimes 62
   Defenses to Crimes 74
   Criminal Law and Moral Values 77
   The Cultural Defense 78

Chapter 4: Civil Procedure 81
   Discovering Connections 81
   Activity 81
   Legal Listening 82
   Essential Terms 82
   Putting the Terms to Use 83
   Legal Thumbnail 83
   Jurisdiction 83
   Parties and Pleadings 95
   Pleadings 98
   Discovery 102
   The Trial 103

Chapter 5: Torts 110
   Discovering Connections 110
   Activity 111
   Legal Discussion 112
   Essential Terms 112
   Putting the Terms to Use 112
   Legal Thumbnail 114
   Intentional Torts 114
   Negligence 117
   Writing a Summary 119
   Strict Liability 120
   Intellectual Property 122
Chapter 6: Products Liability 132
Discovering Connections 132
Activity 132
Legal Listening 134
Essential Terms 134
Putting the Terms to Use 134
Legal Thumbnail 135
Building a Case 136
Damages 143
Litigation Costs 145

Chapter 7: Contracts 148
Discovering Connections 148
Activity 148
Legal Listening 150
Legal Thumbnail 152
Basis of a Contract 152
Forming a Contract 154
Breach of Contract 164
Parts of a Contract 166

Chapter 8: The Negotiation 172
Discovering Connections 172
Activity 172
Legal Listening 173
The Negotiation 173
Conducting Negotiations 174

Part 2: Further Language Development 175

Writing Activities 177
Language Activity 1: Audience, Purpose, and Tone 177
Language Activity 2: Paraphrasing 180
Language Activity 3: Summarizing 183
Language Activity 4: Email 184
Language Activity 5: Client Letters 191
Language Activity 6: Legal Memoranda 194

Reading Activities 198
Language Activity 7: Skimming and Scanning 198
Language Activity 8: Case Reading 200
Language Activity 9: Statutory Interpretation 207
Oral Communication Activities
Language Activity 10: Word Stress 209
Language Activity 11: Obtaining Information 211
Language Activity 12: Register Analysis 215
Language Activity 13: Debate 216

Grammar Activities
Language Activity 14: Verb Forms, Tense, Time, and Aspect 218
Language Activity 15: Simple Past and Present Perfect 226
Language Activity 16: Modals and Semi-Modals 229
Language Activity 17: Active and Passive Voice 234
Language Activity 18: Conditionals 237
Language Activity 19: Gerunds, Infinitives, and That Clauses 242
Language Activity 20: Reported Speech 253
Language Activity 21: Building Connections between Clauses 260

Culture Activities
Language Activity 22: High-Context and Low-Context Communication 272
Language Activity 23: Silence 274

Part 3: Student Resources
Text 1 277
Text 2 279
Text 3 280
Text 4 282
Text 5 283
Text 6 284
Text 7 285
Text 8 286
Text 9 287

Index 289
Table of Cases 298