

UNIVERSITE PARIS 1 PANTHEON-SORBONNE
UFR 06 / SGEL
Bi - LICENCE DROIT / GESTION, Semestre 4

Partiel d'anglais appliqué au Droit

Enseignant responsable : J.T. Pindi, MCF

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Durée : 2 heures

Sujet rédigé en collaboration avec monsieur Pierre Belebenie, Chargé de cours

No documents allowed. Write your answers on the official answer sheets provided.

PART 1: Reading

Read the text below entitled "*Becoming an English Solicitor - The Qualified Lawyers Transfer Scheme (QLTS)*" and address the ensuing vocabulary and comprehension exercises.

Becoming an English Solicitor – The Qualified Lawyers Transfer Scheme (QLTS)

English law is held in high esteem. London is among the leading legal cities in the world and talented and qualified lawyers continue to seek to become English solicitors. Job prospects are decent for lawyers in the UK and by becoming an English solicitor, you increase your employability. Once qualified, you will be able to practise law cross-border, finding employment in England, Europe and further afield in countries including Australia, South Africa and Russia.

In addition, you broaden your professional knowledge, understanding and experience which similarly broadens your career prospects. As a qualified English solicitor, you will be in a stronger position to offer your existing and future clients more legal services. As well as finding employment as a solicitor in England and Wales, your wider career prospects are enhanced when you gain the QLTS. You may choose to practise law in your home jurisdiction, in which case you will benefit from an improved professional track-record and marketability or work as an English solicitor in London. Or perhaps even find a role in an international law firm which has a base in the EU, and live and work anywhere in the world. Whichever career path is right for you, being an English solicitor will bring you more business and greater financial rewards. And this is enhanced by the high standard of competence associated with newly qualified solicitors of England and Wales thanks to the method of assessment: whether you choose the fast-track QLTS route or the domestic route.

Under the existing Qualified Lawyers Transfer Scheme, the QLTS (previously, the Qualified Lawyers Transfer Test, the QLTT), international lawyers as well as barristers in England and Wales, are assessed to ensure they meet the necessary standards required to practise English law. Those admitted to the Roll of Solicitors of England and Wales through the QLTS have an even greater professional profile thanks to this high level of testing.

The QLTS training places international lawyers on a par with domestic lawyers, making for a more level playing field. The same standard expected of domestic lawyers is expected from

overseas lawyers wanting to apply for the QLTS and lawyers who pass the QLTS have the same level of competence as lawyers qualified to practise English law through the domestic route. Now is certainly a good time to become an English solicitor, as the financial implications of the recession start to ease and the employment markets open up once more.

The QLTS offers two major improvements to candidates compared to the QLTT. There is the English language test and the removal of the experience requirement. These are both positive developments for international lawyers wanting to train as English solicitors. As a result of these enhancements to the QLTS, more confidence is instilled in successful candidates. There is rigorous testing of all applicants' practical skills as part of the course. This ensures no one experiences discrimination as everyone is treated the same and assessed to the same standard; although of course because the means of testing is objective, issues regarding ages and disabilities of candidates will naturally be taken into consideration. Candidates who meet the necessary standard will be admitted as a solicitor of England and Wales. Clients will therefore know that all qualified English solicitors, regardless of their route to qualification, are competent and have the professional knowledge, skills, behaviours and ethics needed to perform legal duties well.

The QLTS is an affirmative step for all international lawyers, and barristers in England and Wales, seeking to train as English solicitors. The system is fairer but equally stringent and allows only the highest calibre of lawyers to pass the QLTS assessments. If you want to become an English solicitor, a big factor in determining whether you'll pass your QLTS course is the course provider itself. Without excellent teaching, informative materials, a support network, and experienced staff to guide you through, passing will be more difficult. The QLTS School programme offers a dedicated approach to the QLTS assessments; and because it's completely focused on the one test, students really benefit from an array of advice and support that is always available.

The QLTS School is committed to helping international lawyers become English solicitors. Our website has information for every stage of the process, from what you need to do to be eligible for the QLTS to applying for the course. There is advice about careers, the benefits of practising English law, and guidance for every step of the course. With over ten years' experience and thousands of international lawyers who have successfully qualified as English solicitors, the QLTS School has an excellent reputation and a high candidate pass rate. The QLTS course is comprehensive and convenient, and you will have all the materials you need to study, including distance learning courses, video and audio lectures, and access to the online study portal and the freedom to study when it suits you. The study portal lets you communicate with other candidates, as well as access all the teaching tools including videos, audio and PowerPoint presentations.

Created by skilled legal professionals who have worked extensively with international lawyers and who understand their needs, the QLTS School programme provides you with everything you need to pass your QLTS assessments and go on to enjoy an extensive career as an English solicitor.

Taylor Hannon, 2013, <http://ezinearticles.com>

A. Vocabulary (5 points)

I. Find the word or short phrase in the text, which corresponds to the definition below. Give the paragraph and line number. (2.5 points)

1. Skills and abilities that allow you to be employed:
2. Possibilities of securing a job:
3. Possibilities of advancement in a job:
4. Achievements or failures you have had in your career:
5. Relative ease with which you can compete with others on the job market:

II. Find a synonym in the text for the words that are underlined in the sentences below. Give the paragraph and line number. (2.5 points)

1. International lawyers are assessed to ensure they meet the necessary standards required to practise English law.
2. The QLTS offers two major improvements to candidates compared to the QLTT.
3. Once qualified, you will be able to practise law.
4. There is advice about careers, the benefits of practising English law, and guidance for every step of the course.
5. This is enhanced by the high standard of competence associated with newly qualified solicitors of England and Wales thanks to the method of assessment.

III. Define or explain the meaning of the following words as used in the text. (1.25 points)

1. Lawyers (paragraph 1, line 2):
2. Solicitor (paragraph 1, line 2):
3. Jurisdiction (paragraph 2, line 6):
4. Law firm (paragraph 2, line 8):
5. Barristers (paragraph 3, line 2):

B. Comprehension (5 points)

Say whether the following statements are True (T) or False (F). Justify your answer.

1. A foreign lawyer can practise law in England with qualifications obtained from home.
T / F
2. It is possible for a foreign lawyer to obtain equivalent qualifications in England to be allowed to practise English law. T / F

3. An English solicitor can only be a person from England or Wales certified to practise English law. **T / F**
4. The Qualified Lawyers Transfer Scheme (QLTS) is a test intended for foreign lawyers. **T / F**
5. One advantage of the QLTS is that it makes no difference between lawyers of different nationalities and backgrounds. **T / F**
6. Qualifying as an English solicitor can offer foreign lawyers good professional prospects in their home countries. **T / F**
7. Under the Qualified Transfer Test programme, foreign lawyers need to pass an English language test and to have had some working experience in their own country. **T / F**
8. School training is available in England for foreign lawyers wishing to prepare their qualification test. **T / F**
9. The QLTS School has been set up by experienced law practitioners. **T / F**
10. The quickest way for a foreign lawyer to be allowed to practise English law is to attend a British university's law school. **T / F**

PART 2: Grammar (3.75 points)

Complete this short extract using the verbs in brackets in the correct tense and voice.

How Do You Register to Take the QLTS Assessments?

The assessments (*to administer*) (1) by a sole assessment provider, Kaplan QLTS, which (*to appoint*) (2) for this purpose by the Solicitors Regulation Authority (SRA).

Once you (*to apply for*) (3) and (*to receive*) (4) your Certificate of Eligibility from the SRA, the next step (*to be*) (5) to make a booking to take the assessments with Kaplan. You must (*to receive*) (6) your Certificate of Eligibility before booking an assessment.

Following your registration to sit the QLTS assessments, you will (*to send*) (7) an acknowledgement letter or email with an examinee number by the assessment provider. The letter will also (*to include*) (8) more information about testing centre locations and detailed exam schedule.

Candidates who have special needs that may (*to require*) (9) specific examination arrangements should (*to supply*) (10) full details of their disability with supporting documentation at the time of applying (*to take*) (11) the exam, or as soon as reasonably possible thereafter.

Some candidates may (*to be*) (12) eligible for exemptions to certain elements of each or all of the assessments (*to list*) (13) below. The assessment provider will (*to offer*) (14) special arrangements for candidates with such exemptions, however assessment fees will nevertheless (*to apply*) (15) in full to all candidates.

PART 3: Essay Writing (5 points)

In a minimum of 250 words or a maximum of 300, discuss the importance of the Qualified lawyers Transfer Scheme for overseas lawyers, and the advantages it provides to successful candidates. This article hints that the QLTS is not an easy assessment. Specify how, and comment on the solutions given by the writer.

You will be marked on the substance of your arguments and your ability to use your own words as well as on the standard of your English. Please provide your word count at the end of the essay.

Key to answers and guidelines for marking

Part 1: Reading Comprehension

A. Vocabulary (5 points)

I. Reversed definitions (2.5 points)

Answers

1. employability (paragraph 1, line 4)
2. job prospects (paragraph 1, line 2)
3. career prospects (paragraph 2, line 4)
4. professional track-record (paragraph 2, line 6)
5. marketability (paragraph 2, line 7)

Marking

0.5 point for a correct answer with text references. 0.25 point for a correct answer without any text references. Nothing to be awarded if otherwise.

II. Synonyms (2.5 points)

Answers:

1. overseas lawyers (paragraph 4, line 3)
2. enhancements (paragraph 5, line 4)
3. to perform legal duties (paragraph 5, line 12)
4. stage (paragraph 7, line 2)
5. testing (paragraph 3, line 5)

Marking

0.5 point for a correct answer with text reference. 0.25 point for a good answer without any text reference. Nothing to be awarded if otherwise.

III. Definitions (1.25 points)

Answers

1. *Lawyers* : people certified as trained in the theory and practice of law and legally authorized to represent others in litigation within a particular jurisdiction
2. *Solicitors* : lawyers engaged to advise on legal matters such as contracts, wills and sale of land and if necessary to appear in court on behalf of their clients.
3. *Jurisdiction* : geographic area over which a court has the authority to decide cases.
4. *Law firm* : a business organisation that employs lawyers to represent clients or argue in court.
5. *Barristers* : lawyers who specialise in representing people at court

Marking

0.25 point for any correctly written definition or explanation nearing the above. Nothing to be awarded if otherwise.

B. Comprehension (5 points)

Answers

1. False. Professional qualification in England is needed.
2. True. « Once qualified you will be able to practise law in England and abroad » (paragraph 1, lines 3 & 4)
3. False. Any foreign lawyer can become an English solicitor.
4. False. It's not a test but a programme which makes it possible for foreign lawyers to take a set of tests and, if successful, qualify as English solicitors.
5. True. QLTS sets the same standards for both domestic and foreign lawyers.
6. True. « You may choose to practise law in your home jurisdiction, in which case you will benefit from an improved professional track-record and marketability. (paragraph 2, lines 5 – 7).
7. False. Unlike the former QLTT scheme, previous experience is no longer required though the English language test is still maintained. (paragraph 5, lines 1 – 2)
8. True. The QLTS School is committed to helping international lawyers become English solicitors. (paragraph 7, line 1).
9. True. « created by skilled legal professionals who have worked extensively with international lawyers and understand their needs. » (last paragraph).

10. False. Training at universities is the « domestic route » and the QLTS route is the fast track to becoming an English solicitor. (paragraph 2, last line).

Marking

0.5 point for a good answer with justification. 0.25 point for a good answer without justification. Nothing to be awarded if otherwise.

PART 2: Grammar (3.75 points)

Answers

1. are administered 2.has been appointed 3.have applied for 4.received 5.is 6. have received 7. be sent 8. include 9. require 10. supply 11. to take 12. be 13. listed 14. offer 15. apply.

Marking

0.25 point for a correct choice. Nothing to be awarded if otherwise.

Part 3: Essay Writing (1+4= 5 points)

Marking

First, please award 1 point as a bonus for requisite length. Nothing to be awarded, nor any penalty point to be deducted for inadequate or excess length.

- Then, please read, correct and comment the discussion and score as follows:

Up to 2 points to be awarded for satisfactory substance.

Up to 2 points to be awarded for the standard of English.

Please note that *up to* means that you should feel free to award less if warranted.