

PROFESSIONAL
LEGAL ENGLISH
LANGUAGE
EXAMINATION

LAWBILITY

INFORMATION REGARDING CERTIFICATION

Candidates taking the Professional Legal English Language Examination demonstrate the level at which they master professional written language as well as comprehension and use of legal terminology in practical legal writing. The Professional Legal English Language Certificate reflects the level each successful candidate has achieved with regard to professional written legal English language and with regard to practical legal writing. Successful candidates should use the following format when referring to the Certificate on a CV or web bio:

	<p>Amani Gross Trainee</p> <p>Expertise: Intellectual Property Law Tax Law</p> <p>Languages: German (Native Speaker) English (Lawbility Professional Legal English Language Certificate 2016) French (strong verbal communication skills) Spanish (intermediate general language skills)</p> <p>Career: 2015: Trainee at Whitefields AG 2014: University of Bern, Master of Law 2012: University of Bern, Bachelor of Law</p> <p>Admission: Not admitted to the Bar</p>
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AUTHENTICATION OF CERTIFICATE

Lawbility keeps records of those candidates who take the examination, as well as records of their results. Upon request, Lawbility will provide candidates or third parties with a copy of the applicable Certificate (an administrative fee applies). For additional information, please contact legalenglish@lawbility.ch.

SKILLS ASSESMENT

Exam candidates demonstrate their level of professional language and use of legal terminology in practical legal writing. Each exam candidate will receive a Professional Legal Language Certificate stating their level of Professional Legal Language.

PROFESSIONAL LEGAL LANGUAGE SKILLS

Professional Level (equivalent to CEFR's C2*)

- *Content and Communication:* The candidate completes the task with no omissions, and the communication is equal to what a law firm would expect – politeness, assertiveness, ease of communication, etc. Nearly no errors.
- *Text Organization and Structure:* Well-organized piece with a clear flow using a variety of simple and complex linking devices. Hardly any errors.
- *Grammar and Vocabulary:* The candidate demonstrates proficiency in using both common and less common vocabulary. Uses a wide range of grammatical structures, such as simple and complex verb tenses, conditionals, inversions, passive structures, more than one modality (future, present, past), relative clauses, etc. Hardly any repetition of vocabulary. Errors are minimal.

Advanced Level (equivalent to CEFR's C1*)

Content and Communication: The candidate completes the task using a straightforward, but not necessarily sophisticated approach. Incorporated some complex ideas. Addressed the issue and the receiver in an appropriate way. Some errors occur when the communicator stretches his/her grammar or vocabulary use.

Text Organization and Structure: Well-organized piece using a variety of simple and some complex linking devices. Some minor errors apparent.

Grammar and Vocabulary: The candidate uses both common and less common vocabulary appropriately. Uses a wide range of grammar with occasional errors, which do not impede communication.

Upper Intermediate Level (equivalent to CEFR's B2*)

Content and Communication: The candidate completes the task using a straightforward approach. Some errors occur, but do not impede communication.

Text Organization and Structure: Well-organized piece using a variety of simple and some complex linking devices. Some minor errors apparent.

Grammar and Vocabulary: The candidate uses both common and less common vocabulary appropriately. The candidate also uses a wide range of grammar with occasional errors, which do not impede communication.

* **CEFR:** Common European Framework of Reference for Languages

PRACTICAL LEGAL WRITING SKILLS

Professional Level

The candidate has a superior grasp of professional language terminology and can accurately and elegantly use a wide range of professional phrases and formulations; effectively uses professional terminology, collocations, and expressions to present and develop arguments, evaluate ideas, and offer convincing possibilities for alternative courses of action for clients; is attuned to and can respond appropriately to differences in tone and displays cultural sensitivity in communications with English speakers from different backgrounds.

Advanced Level

The candidate has a strong grasp of professional language terminology and can accurately use a number of professional phrases and formulations; can clearly and concisely present and develop arguments, evaluate ideas, and present different options in client correspondence.

Upper Intermediate Level

The candidate competently understands and uses key professional language terminology across different areas of law; can draft clear and accurate correspondence using basic professional terminology and formulations.

INFORMATION OF THE ISSUER OF THE CERTIFICATION

The examination is developed by a team of expert linguists and lawyers with extensive experience in teaching, coaching, and assessing the professional legal English language skills of lawyers and law students. All examiners were selected by Lawbility Ltd. and meet the applicable requirements in terms of language and legal knowledge as well as training in professional education.

INFORMATION REGARDING THE EXAMINATION

GENERAL INSTRUCTIONS GIVEN TO EXAM CANDIDATES

- The exam consists entirely of written questions and answers. There is no oral testing component.
- Candidates will have two hours (120 minutes) to complete the exam (exception: granted prolongation requests) and can achieve a maximum of 120 points.
- Each question on the exam will indicate the number of points one can achieve on that question. Although candidates are free to choose how much time to spend on each question, we recommend scanning the exam and the point allocation per question briefly before starting the exam.
- There is no penalty for guessing or for incorrect answers.
- Candidates may not use any additional materials during the exam period and are requested to write legibly. Answers that cannot be read will not receive any credit.

EXAM PART ONE: PROFESSIONAL LEGAL LANGUAGE (60 TOTAL POINTS)

KEY LEGAL TERMINOLOGY (40 POINTS)

Exam Content

Key legal terminology in important legal and practice areas, including inter alia

- contract formation
- contract remedies
- assignment of contracts and third-party rights
- corporate/company law (company formation, capitalization, and fundamental changes in a corporation)
- employment law

LEGEND

- LEM: The Legal English Manual
- Course Documentation: Lawbility Professional Legal English Language Training Course
- International Legal Practice Documents: Documents used in international legal practice

Testing Methods

- Rewriting and fill-in-the-blank exercises in documents commonly used in practice, e.g. memoranda,
- contracts, correspondence and file notes.
- Defining, describing, and translating legal terms and concepts.

Skills Tested

Comprehension of Key Terminology and Legal Concepts:

- Reading and understanding legal terms in context
- Actively using accurate legal terminology, including terms of art, in context
- Accurately using legal terminology with the appropriate collocations, phrases, and expressions

Document Sources

- LEM
- Course Documentation
- International Legal Practice Documents

How to Prepare

Review LEM Part I and your Course Documentation.

PROFESSIONAL WRITTEN COMMUNICATION (20 POINTS)

Exam Content

Terms and expressions used in professional written communication, including inter alia

- formal vs. informal formulations
- forms of address and titles
- asking for information
- arranging next steps
- closing phrases

Testing Methods

Review and revise a poorly-written email communication or similar correspondence using professional legal language.

Skills Tested

Text Comprehension and Written Communication Skills:

- Reading and understanding a written legal communication
- Identifying obviously unprofessional expressions and poor word choices
- Using professional formulations in writing to revise the same

Document Sources

- LEM Manual Part II (especially LEM Manual on Substantive Correspondence to a Client)
- Course Documentation

How to Prepare

Review LEM Part II and your Course Documentation

EXAM PART TWO: INTERNATIONAL LEGAL PRACTICE (60 TOTAL POINTS)

DOCUMENT COMPREHENSION (30 POINTS)

Content (law, language, practice)

Key contract terminology and clauses, e.g.

- contract commencement
- term and termination
- parties' positions
- rights and obligations
- governing law
- dispute resolution procedures
- IP ownership, insurance and indemnification
- severability
- jurisdiction and venue
- merger clauses

Testing Methods

Review a straightforward contract drafted pursuant to common or civil law principles and prepare written answers to five questions on the contract.

Skills Tested

Text Comprehension and Analysis Skills:

- Demonstrating an understanding of important contractual terms in context
- Interpreting common contractual clauses in context
- Drafting a brief assessment of how particular clauses affect a client or other contractual party

Document Sources

- LEM
- Course Documentation
- International Legal Practice Documents

How to Prepare

Review LEM Part II and your Course Documentation

LEGAL DRAFTING (30 POINTS)

Content (law, language, practice)

Professional formulations in written client communication, focusing on

- correctly addressing clients, crafting a strong introductory paragraph
- identifying legal issues
- providing a short analysis evaluating and recommending course(s) of action
- choosing appropriate closing formulations

Testing Methods

Prepare a short written communication to a client advising them on a point of domestic law. The exam will provide a short set of facts, as well as set of legal assumptions under domestic law.

Skills Tested

Professional Written Communication Skills:

- Reading and understanding the client's problem and needs
- Identifying legal issues
- Providing the client with a piece of legal advice
- Drafting a professional written communication to a client

Document Sources

- LEM
- Course Documentation
- International Legal Practice Documents

How to Prepare

Review LEM Part II and your Course Documentation

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LAWBILITY

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