

| Course |

English Legal System

By David Hutchins

11/12 NOVEMBER 2017
10.00 - 17.30

MILANO, HOTEL LEONARDO
PIAZZA IV NOVEMBRE



ASSOCIATION INTERNATIONALE DES INTERPRÈTES DE CONFÉRENCE
INTERNATIONAL ASSOCIATION OF CONFERENCE INTERPRETERS

DAY 1

Making sense of the English Legal System
(Courts, Judges, Lawyers, Court Procedure)

DAY 2

Understanding Contract Law and Civil liability

EARLY BIRD FEE (by 15 September):

AIIC members € 90,00 per 1 day - Non AIIC € 120,00
FOR 2 DAYS: AIIC members € 160,00 - Non AIIC € 190,00

REGULAR FEE:

AIIC members € 120,00 per 1 day - Non AIIC € 150,00
FOR 2 DAYS: AIIC members € 190,00 - Non AIIC € 220,00

PAYABLE TO:

ASSOCIAZIONE ITALIANA INTERPRETI DI CONFERENZA
ITALIA - IBAN: IT 17Y 02008 36870 000103166122
VIA TIRSO 90 - 00198 ROMA (RM)
P.IVA: 12817011005 - C.F.: 97791030584

ENROLMENT & INFO:  cspaiicitalia@gmail.com

ENROLMENT DEADLINE: 1 OCTOBER

MINIMUM NUMBER OF PARTICIPANTS: 20
(in case the number is not reached, participants
will be refunded the full amount paid).

PRESENTATION

If you don't know the difference between a magistrate and a judge, a court and a tribunal, a hearing and a trial, or a judgment and an order, this course will shed light on concepts and terminology. Course notes and other materials will be distributed by email to participants approximately one week in advance.

DAVID HUTCHINS

David Hutchins has been a Solicitor of the Senior Courts of England and Wales since 1967. He was until 1998 the Senior Partner of Hutchins & Co, Solicitors, London, a firm he founded in 1971. He has been responsible for, inter alia, the selection and supervision of trainee solicitors. Since 2005 he has presented numerous law courses for civil code lawyers, and legal translators/interpreters at numerous locations. In January and February, 2016 he presented four one-day courses for Interpreters of the Directorate-General for Interpretation of the European Commission in Brussels.



 @DavidHutchins1

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Italia

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Program

11 NOVEMBER

10.00: INTRODUCTION:
Common Law

SESSION ONE

Background and Court Hierarchy
Sources of law: English & European legislation, Precedent, Judicial interpretation
Nature of British Constitution, Separation of Powers, the Rule of Law,
Equity, independence of the judiciary, court hierarchy
Court structure: divisions of the High Court, county courts, Magistrates' courts, crown courts, coroners' courts, judges
Appeals: Crown Court, High Court, Court of Appeal, Supreme Court, Privy Council

11.15: Coffee / Tea

11.30: SESSION TWO

Legal Profession in England and Wales
Solicitors, barristers, notaries public, patent agents, "lawyers", "counsel"
Routes to qualification; modes of practice,
Areas of work: contentious & non-contentious
Sole practitioners, partnerships, limited liability partnerships
Multi-disciplined partnerships, "alternative business structures" (ABS) from Oct 2011
Advocacy, rights of audience, "officers of the court",
Conducting litigation: being "on the record", undertakings to the court
Other legal professionals: legal executives, licensed conveyancers, "para-legals",

costs lawyers (draftsmen)
Forms of address and description in court, court attire,
The Law Society, Solicitors Regulation Authority, Inns of Court, Bar Council
Legal Ombudsman: professional negligence
Multi-disciplined partnerships

1.00: Lunch

2.30: SESSION THREE

Proceedings in Court; the Adversarial System
Civil and criminal proceedings: different aims, parties and procedure: defamation trials
Standards of proof: verdicts and judgments: quantum and liability
Evidence and proof: evidence on oath, calling witnesses, perjury, corroboration, exhibits
Witness statements, affidavits, examination of witnesses, hostile witnesses, leading questions
Contempt of court, civil and criminal
Hearings and trials, judges and juries
Reading law reports

3.45: Tea / Coffee

4.00: SESSION FOUR

Changes in civil terminology and procedure since 1999
Issue of civil proceedings: claim form, statements of case
Service of proceedings, interim and interlocutory applications and orders
Judgments, enforcement of judgments
Limitation periods, claims statute-barred, laches

Alternative Dispute Resolution (ADR): arbitration, conciliation, mediation

12 NOVEMBER

10.00: INTRODUCTION

SESSION ONE: Contract Formation

Pre-conditions: Legal Capacity, defined parties, lawful object, intention to create legal relations
Agreements and contracts
The doctrine of Consideration as an essential element in contract formation
Void and voidable contracts
Representations, warranties, conditions: how they differ
Meanings and use of
Guarantees: compare guarantees and indemnities
Negotiations and correspondence "subject to contract"
Legal status of Heads of Agreement, Comfort Letter
Offer and acceptance: a counter-offer
Negotiating in "good faith"
Agency, Powers of Attorney, Proxies: meanings, differences, uses

11.00 Tea / Coffee

11.15: SESSION TWO: Remedies for Breach of Contract

Under Common Law: damages: meaning and purpose of damages
Evidence of loss: foreseeability: causation: duty to "mitigate"
Liquidated damages and "penalties": test of enforceability

Availability of claims for "Quantum Meruit"
Equitable (discretionary) remedies for breach: Specific Performance, Injunction, Rescission, and Rectification
Frustration of contract
Inadmissibility of dispute/settlement correspondence "without prejudice".

1.00: Lunch

2.30: SESSION THREE: Some Common Contract Clauses and Terminology

Statement of parties, preamble, consideration,
Meaning of "time to be of the essence of the contract"
Entire Agreement
No Waiver
Exclusion clauses
Assignment
Severance
Indemnity

3.45: Tea / Coffee

3.45: SESSION FOUR: Litigation Terminology and Limitation Periods

Causes of action: tort: negligence, defamation
Disclosure (formerly "Discovery"): affidavits
Orders and judgments
Orders for costs: "costs follow the event"
Vicarious liability, contributory negligence
Domicile, Contempt of Court, Solicitors' Undertakings
Reading English Law reports

5.30: Course ends