

**COMPETENCE
IN ENGLISH**

**ТИПОВІ ТЕСТОВІ
ЗАВДАННЯ**

Навчально-практичний посібник

Харків
«Право»
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Навчально-практичний посібник спрямований на тестування рівня сформованості іншомовної компетентності студентів; підвищення рівня іншомовної компетенції та формування у студентів навичок виконання тестових завдань.

Посібник розрахований на студентів юридичних закладів вищої освіти для використання в аудиторній роботі і при опрацюванні навчального матеріалу самостійно, а також для підготовки до складання вступних випробувань з англійської мови з використанням технологій ЗНО для здобуття ступеня «магістр».

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Передмова

Реалізація компетентнісного підходу у вищій освіті актуалізує завдання оптимізації освітнього процесу зокрема шляхом розробки навчально-методичного забезпечення спрямованого на розвиток загальних і фахових компетентностей студентів. Відповідно ціллю навчального посібника є сприяння формуванню предметних компетентностей студентів, необхідних та достатніх для ефективного професійного усного і письмового спілкування в сфері права та самостійної роботи з англійською правничою літературою та документами.

Навчально-практичний посібник дозволяє проводити тестування рівня сформованості іншомовної компетентності студентів, сприяти підвищенню рівня іншомовної компетенції, досягнутої ними попередньо, та формувати навички виконання тестових завдань.

Посібник укладено згідно з Програмою навчальної дисципліни «Іноземна мова» (англійська) за навчальними темами: Legal Systems of the World, Legal Profession, Judiciary in Ukraine, Prosecutor, Investigator, Defence Lawyer, Notary Bodies, The European Union.

Структурно посібник складається з 16 тестів. Кожний тест складається з двох частин. Частина «Читання» містить 22 завдання. Частина «Використання мови» включає 20 завдань. Кожне завдання складається з інструкції, текстової інформації і запитань або тверджень до неї.

Завдання для визначення рівня сформованості іншомовної компетентності в читанні зорієнтовані на перевірку рівня сформованості і розвиток здатності розуміння основної інформації (ознайомлювальне читання), повної інформації (вивчальне читання) та пошуку окремих фактів (вибіркове читання). Тестові завдання, що пропонуються, це завдання з множинним вибором, відповіді на які побудовані за принципом кумуляції (для перевірки повноти знань і умінь).

Використані форми завдань складають: завдання множинного вибору до тексту (вибір однієї правильної відповіді з чотирьох); завдання множинного вибору на заповнення пропусків у тексті.

Завдання щодо визначення якості засвоєння лексичного і граматичного матеріалу й встановлення рівня сформованості відповідних компетентностей дозволяють встановити якість володіння необхідним запасом словникового складу та граматичного матеріалу, здатність аналізувати і зіставляти інформацію, добирати синоніми, фразові дієслова, розуміти значення слів відповідно до контексту, розуміти логічні зв'язки між частинами тексту. Форми завдань включають завдання на вибір однієї правильної відповіді та на заповнення пропусків у тексті.

Навчально-практичний посібник містить відповіді до всіх запропонованих тестів, що дозволяє його використовувати при самостійній роботі студентів.

Максимальна кількість тестових балів, яку може отримати студент, правильно виконавши всі завдання, дорівнює 42 тестовим балам.

Виконання кожного завдання на встановлення відповідності, з вибором однієї правильної відповіді, на заповнення пропусків у тексті оцінюється в 0 або 1 тестовий бал.

Для отримання результатів виконання тестових завдань за 100-бальною шкалою використовується Таблиця переведення тестових балів в 100-бальну шкалу:

0-14	F	0-34%
15-24	FX	35-59%
25-29	E	60-69%
30-32	D	70-75%
33-34	C	76-79%
35-37	B	80-89%
38-42	A	90-100%

Джерелами дібраних завдань слугують автентичні інформаційно-довідкові, рекламні та газетно-журнальні матеріали.

Укладений навчально-практичний посібник розрахований на студентів вищих юридичних навчальних закладів для використання в аудиторній і самостійній роботі як частина навчально-методичного комплексу з навчальної дисципліни «Іноземна мова».

TEST 1

Частина «ЧИТАННЯ» READING

Task 1

Read the text below. Match choices (A-H) to (1-5). There are three choices you do not need to use. Write your answers on the separate sheet.

- 1 The power goes off about 10 seconds after pushing it.
- 2 Air exhausted from the vacuum cleaner is normally warm. But if extraordinary hot air is exhausted, check if the telescopic tube, hose or clean filter is clogged or not.
- 3 It allows you to control temperature of your refrigerator remotely – not just when you are standing in front of it.
- 4 Do not use sharp objects such as pens, to scroll down the screen of your smartphone.
- 5 Before plugging the radiator into mains, check that the voltage of your mains electricity supply corresponds to the value indicated on the appliance and that the socket and power line are appropriately dimensioned.

Which of the notices gives users information about _____?

- A electrical connection
- B function of power button
- C safety precautions
- D action that may harm the device
- E child lock function
- F remote temperature control
- G connectivity setup
- H adjusting the thermostat

Task 2

Read the text below. For questions (6-10) choose the correct answer (A,B,C or D). Write your answers on the separate sheet.

Legal Profession in the UK and the USA

There are two types of lawyers who practise in England. They are called barristers and solicitors. In the USA and most other countries, lawyers don't make this distinction – a lawyer is simply known as an attorney-at-law, or an attorney. In both England and the USA, it is not possible to take a special exam to be a judge. If you decide that you want to be a judge, you must get a lot of experience as a lawyer first, then apply to be a judge and wait to see if you are chosen.

Both barristers and solicitors start off doing the same training: they either complete an undergraduate course in law, or take another degree and follow it with the one-year Common Professional Exam or Post-Graduate Diploma in Law. After that, solicitors do a one-year Legal Practice Course followed by a two-year training contract. A barrister must take a one-year Bar Professional Training Course in place of the Legal Practice Course, and then they are **'called to bar'** at one of the four Inns where they do a year's pupillage assisting a senior barrister and undertaking some court work. They can then join a set of Chambers as a fully-fledged self-employed barrister.

Most law students in England become solicitors. When they finish their university studies they do a one-year legal practice course and then a two-year training contract with a law firm. After that, they are qualified solicitors. Many solicitors work for a legal practice, which is usually a partnership of solicitors who work together. Solicitors practise in many areas of law, although each solicitor usually chooses to specialise in one particular area. They represent their clients both in and out of court. We often describe this as acting for a client. The process of making a claim in the civil court is called litigation.

Barristers are usually self-employed lawyers but can work in partnerships in the way that solicitors do. They are specialists in advocacy, which

is the skill of speaking for someone in court. We call this pleading a case. They also give opinions on areas of law to solicitors and the solicitors' clients. It is not just barristers who have the right of audience in court. Solicitors are also allowed to represent their clients in court and many solicitors appear in court every day. It is not true to say that a client always needs a barrister in court.

6. According to the text what is the feature of getting the judge's job in the UK and the USA?

- A There are no features; any graduate of law university can become a judge.
 - B Before being a judge person must get a lot of practice in the field of law.
 - C Only having work experience as an attorney, he or she can become a judge.
 - D There are different requirements to judge's post in the UK and the USA.
7. What is the difference between education of barristers and solicitors?
- A There is no difference, they get the same training.
 - B Barristers complete undergraduate course in law; solicitors take one-year Common Professional Exam or Post-Graduate Diploma in Law.
 - C Both barristers and solicitors start doing the same training, but after a while they must take different professional courses.
 - D Both solicitors and barristers do a one-year Legal Practice Course followed by a two-year training contract.

8. What does the author mean by the words «**called to bar**»?

- A After taking Bar Professional Training Course a barrister has the right to assist some senior barrister in court cases.
- B It means they have done Bar Professional Training Course and help solicitors.
- C At this stage of studying a barrister can't practise law.
- D It means «to be admitted to the Bar Professional Training Course».

9. According to the text acting for a client is:

- A When a group of solicitors work together in one sphere of law.
- B A solicitor represents his/her client in the court.
- C The process of making a claim.

- D** The right of a solicitor to deal with a client both in court proceedings and out of court.
- 10.** What are the main functions of barristers?
- A** They represent clients in court.
- B** A barrister gives legal consultations both to a solicitor and a client; he/she is also a spokesman of a client.
- C** A barrister is an assistant of a solicitor.
- D** They act as advocates.

(Adapted from: <https://www.brightknowledge.org/law/what-is-the-difference-between-a-barrister-and-solicitor>
http://www.toleslegal.com/wp-content/uploads/2012/06/coursebook_ch1.pdf)

Task 3

Read the text below. Choose from (A- H) to (11 - 16). There are two choices you do not need to use. Write your answers on the separate sheet.

Studying Law in the UK and the USA

11. In the UK, legal education usually begins with the completion of a bachelor degree in law, which usually takes three years. In the subsequent vocational stage, a person who wishes to become a barrister joins one of the Inns of Court before beginning the Bar Vocational Course. The completion of this stage is marked by a ceremony referred to as call to the Bar. A third stage known as pupillage is a year-long apprenticeship.

12. A person wishing to become a solicitor must also complete three stages: 1) gaining a law degree; 2) passing a one-year Legal Practice Course; 3) working for two years as a trainee solicitor with a firm of solicitors or in the legal department of a local authority or large company.

13. In the USA legal education comprises four years of undergraduate study followed by three of law school. A law-school graduate receives the degree of juris doctor (J. D.). In order to qualify as a lawyer, a law-school graduate must pass the bar examination.

14. Going to law school in England is different than going to law school in the United States. Unlike the U. S., English law school graduates are required to choose whether they want to become a solicitor – a lawyer who performs all of the typical American lawyer duties, and litigates in court – or a barrister – a lawyer who is solicited by the solicitor to litigate in court. Those students who wish to be solicitors must take several full time courses that can last several years depending on the course.

15. Also, unlike the U. S., English students who desire to go to law school are not required to attend an undergraduate college before attending law school. English students may attend law school once they graduate from high school.

16. The first year of the US law school is generally considered to be the most difficult because of the core classes, exams, and the Socrates method. The Socrates method is a method used in most law school classes in which the professor calls on students to state a case or respond to a case-based question. This frightens many students, particularly international students, who might be afraid to speak up in class, but most international students do just fine.

Which of the items deal with _____?

- A** degree of juris doctor in the USA;
- B** distinctions between graduates of the American and English law institutions;
- C** peculiarities of barrister’s and solicitor’s job;
- D** the most complicated period of studying in the American law schools;
- E** the features of entering law school in the UK;
- F** stages of becoming a solicitor in the UK;
- G** undergraduate education;
- H** stages of becoming a barrister in the UK.

(Adapted from: <http://international.law.wfu.edu/2013/06/english-law-schools/>
<https://www.internationalstudent.com/study-law/>)

Task 4

Read the text below. Choose from (A- H) the one which best fits each space (17 - 22). There are two choices you do not need to use. Write your answers on the separate sheet.

Civil Law and Common Law

Civil law is a legal system developed from Roman codified law. The term «civil law» contrasts with both «common law» and «criminal law». In the first sense of the term, civil law refers to a body of law 17 _____ derived from fundamental normative principles. Legal disputes are settled by reference to this code, which has been arrived at through legislation. Judges are 18 _____ and its provisions. In contrast, common law was originally developed through customs at a time before laws were written down. Common law is the foundation of the legal systems of most of the English-speaking countries of the world, based on customs and 19 _____. Common law is based on 20 _____, which means that past 21 _____ into consideration. In the second sense of the term, civil law is distinguished from criminal law, and refers to the body of law dealing with 22 _____, such as breach of contract.

- A court decisions (also case law, judge-made law)
- B non-criminal matters
- C derived from codes
- D bound by the written law
- E cases are taken
- F family law
- G precedents, created by judicial decisions
- H based on written legal codes

(Adapted from: Krois-Linder Amy. International Legal English. www.cambridge.org)

Частина «ВИКОРИСТАННЯ МОВИ»
USE OF ENGLISH

Task 5

Read the text below. For questions (23 – 32) choose the correct answer (A,B,C or D). Write your answers on the separate sheet.

The common law is the body of law formed through 23 _____ from the higher courts rather than through statutes or written 24 _____. The guiding principle of common law systems is that similar cases should receive similar treatment under the law. Common law principles are established and developed through written opinions of judges given at the end of a 25 _____ or an appeal. These opinions set 26 _____, legal rules that are then applied in future similar cases. The 27 _____ of judicial precedent, the principle under which the lower courts must follow the decisions of the higher courts, is also referred to as stare decisis, which is Latin for «let the decision stand».

A system based on common law has both advantages and disadvantages. There are three main arguments in favour of such a system: that it is fair, foreseeable and efficient. It is seen as being fair because following precedents in all 28 _____ means that all people are treated equally. It is foreseeable because basing decisions on precedent means that potential 29 _____ have a good idea as to how their cases will be decided. Another advantage of the precedent-based 30 _____ law system is that the judicial process can be relatively fast, as there are already examples in place on which to base a ruling.

The disadvantages include the perpetuation of bad rulings and certain difficulties when there is no precedent for the case before the court. Once a bad decision has been made by a higher court, that decision will remain 31 _____ until the same court, or a higher court, overrules the decision. Courts do not like to overrule their own decisions unless absolutely necessary, and so bad decisions can remain law for a long time. Another problem area is where the court has no precedent to apply to the case before it. In such cases, a court will have to make a ruling where no previous law existed.

Common law systems do not derive all of their laws from case law. Democratic countries with common law legal systems have legislative

bodies at the centre of their democracies. These bodies regularly pass new legislation, which is then 32 _____ by courts, especially during the appeal stage. Examples of these legislative bodies include the UK Parliament and the US Congress. Large areas of law, for example those relating to property, contracts and torts, are traditionally part of the common law. However, more recently developed areas of law such as employment law and intellectual property law are usually based on statute rather than on common law.

23	A	judgments	B	judiciary	C	judges	D	jury
24	A	justice	B	legislation	C	precedents	D	legality
25	A	court	B	investigation	C	trial	D	application
26	A	precedents	B	forth	C	lists	D	lawyers
27	A	case	B	history	C	ruling	D	doctrine
28	A	countries	B	systems	C	jurisdictions	D	cases
29	A	judges	B	litigants	C	investigators	D	prosecutors
30	A	civil	B	common	C	religious	D	mixed
31	A	law	B	case	C	doctrine	D	unsettled
32	A	decided	B	declined	C	interpreted	D	written

(Adapted from: <https://www.translegal.com/quiz/common-law-systems-quiz-3>)

Task 6

Read the text below. For questions (33 – 42) choose the correct answer (A,B,C or D). Write your answers on the separate sheet.

The world-renowned Cambridge University is considering 33 _____ handwritten exams after 800 years. University officials may ask students to type their exam answers on a computer rather than 34 _____ a pen. The move follows complaints from examination markers 35 _____ say they are finding test papers increasingly illegible 36 _____ poor handwriting. Academics say today's students primarily use laptops in lectures and tutorials instead of pens. Students 37 _____ the ability to write by hand. One academic said asking students to hand-write exams actually causes them physical difficulties. The