

國立中正大學 114 學年第 2 學期 課程大綱

課程名稱(中文)：	法學英文（四）
先修科目或 先備能力：	無
課程概述：	本課程分為三部分：（1）透過不同主題來訓練修課學生的法學英文閱讀與討論能力；（2）學習撰寫英文法律文件；（3）學習以英文進行法學研究。
學習目標：	全面提升修課學生法學英文之論述、理解與閱讀能力。
教科書：	<p>1. Burnham, William, Introduction to the Law and Legal System of the United States, 3rd ed., West Group, 2002.</p> <p>2. Butt, Peter & Richard Castle, Modern Legal Drafting, Cambridge University Press, 2nd ed., 2006.</p> <p>3. Marshall, Lawrence C., The Innocence Revolution and the The Attorney-Client Relationship, Walter C. Reckless Memorial Lecture, 2003.</p> <p>4. Morris, Cohen L. & Kent C. Olson, Legal Research in a Nutshell, 7th ed., West Group, 2000.</p> <p>5. Squires, Lynn B., Marjorie Dick Rombauer & Katherine See Kennedy, Legal Writing in a Nutshell, 2nd ed., West Group, 1996.</p> <p>6. Wendel, W. Bradley, Professional Responsibility, 2nd ed., Aspen Publishers, 2007.</p> <p style="color: red;">(請尊重智慧財產權，不得非法影印教師指定之教科書籍)</p>
教學要點概述：	
1. 教材編選：	<input checked="" type="checkbox"/> 自編教材 <input type="checkbox"/> 教科書作者提供
2. 教學方法：	<input checked="" type="checkbox"/> 投影片講述 <input checked="" type="checkbox"/> 板書講述
3. 評量方法：	<input checked="" type="checkbox"/> 上課點名與表現 50%, <input type="checkbox"/> 小考 0%, <input type="checkbox"/> 作業 0%, <input type="checkbox"/> 程式實作 0%, <input type="checkbox"/> 實習報告 0%, <input type="checkbox"/> 專案 0%, <input type="checkbox"/> 期中考 0%, <input type="checkbox"/> 期末考 0%, <input checked="" type="checkbox"/> 期末報告 50%, <input type="checkbox"/> 其它 0%
4. 教學資源：	<input type="checkbox"/> 課程網站 <input checked="" type="checkbox"/> 教材電子檔供下載 <input type="checkbox"/> 實習網站

5. 教學相關配合事項： **全程英語授課**

課程進度

週次	單元主題	進度說明	延伸閱讀
Week 1	Introduction	Introducing the rules and syllabus of this class.	
Week 2	Reading and Discussion--- The Attorney-Client Relationship (I)	※Introducing the movie of “Devil’s Advocate(I)”. ※Discussing the issues involved with Attorney’s Professional Duty of Confidentiality.	W. Bradley Wendel, Professional Responsibility, pp. 181-185, 2 nd ed., Aspen Publishers (2007).
Week 3	Reading and Discussion--- The Attorney-Client Relationship (II)	※Introducing the movie of “Devil’s Advocate(II)”. ※Discussing the issues regarding Confidentiality and Secrecy.	W. Bradley Wendel, Professional Responsibility, pp. 132-137, 2 nd ed., Aspen Publishers (2007).
Week 4	Reading and Discussion--- The Attorney-Client Relationship (III)	※Introducing the movie of “Devil’s Advocate(III)”. ※Discussing the issues regarding Perjury in Criminal	W. Bradley Wendel, Professional Responsibility, pp. 203-209, 2 nd ed., Aspen Publishers (2007).

		Litigation.	
Week 5	Reading and Discussion--- The Attorney-Client Relationship (IV)	<ul style="list-style-type: none"> ※ Comprehending and discussing the issues regarding (1)Model Rule 3.3 on Perjury ; (2) Disclosure of Adverse Authority ; (3) Criminal Cases: Professional Duties in Tension ; (4) Alternative Reponses to Perjury in Criminal Cases. 	W. Bradley Wendel, Professional Responsibility, pp. 209-230, 2 nd ed., Aspen Publishers (2007).
Week 6	Reading and Discussion--- Freedom of Speech (I)	<ul style="list-style-type: none"> ※Introducing the movie of “The People v. Larry Flint (I)”. ※Introducing the story of Larry Flint. 	Larry Flint, http://en.wikipedia.org/wiki/Larry_Flynt
Week 7	Reading and Discussion--- Freedom of Speech (II)	<ul style="list-style-type: none"> ※Introducing the movie of “The People v. Larry Flint (II)”. ※Introducing the case “the People v. Larry Flint”. 	The People v. Larry Flint, http://en.wikipedia.org/wiki/The_People_vs._Larry_Flynt
Week 8	Reading and Discussion--- Freedom of	<ul style="list-style-type: none"> ※Discussing the issues and reasoning of 	Review of <i>Jerry Falwell v. Larry Flint: The First Amendment on Trial</i> , http://www.sexuality.org/authors/henkin/whfalwel.html .

	Speech (III)	“the People v. Larry Flint”.	
Week 9	Reading and Discussion--- Freedom of Speech (IV)	※Discussing the Conclusion and Impact of “the People v. Larry Flint”.	Oral Argument before the Supreme Court of the United States in the case of Hustler Magazine and Larry C. Flynt, Petitioners v. Jerry Falwell, http://law2.umkc.edu/faculty/projects/trials/falwell/oralarg.html
Week 10	Legal Research --- Westlaw Training and Practice(I)	Training by the Westlaw lecturer.	Cohen Morris L & Kent C. Olson, Legal Research in a Nutshell, West Group, pp.81-85 (7 th ed., 2000).
Week 11	Legal Research --- Westlaw Training and Practice(II)	Practice in class.	Cohen Morris L & Kent C. Olson, Legal Research in a Nutshell, West Group, pp.85-89 (7 th ed., 2000).
Week 12	Legal Writing--- How to Draft Modern Documents (I)	※Modern, standard English ※Document structure ※Layout and design	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.167-177 (2 nd ed., 2006).
Week 13	Legal Writing--- How to Draft Modern Documents (II)	※Lists ※Punctuation ※Definitions	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.178-190 (2 nd ed., 2006).
Week 14	Legal Writing--- How to Draft Modern Documents (III)	※Tables, plans and formulas ※Notes and examples ※Simplified outlines	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.191-200(2 nd ed., 2006).
Week 15	Legal Writing--- How	※ "Shall" and the modern	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.200-208(2 nd ed., 2006).

	to Draft Modern Documents (IV)	document ※Handling generality and vagueness ※Syntactic ambiguity	
Week 16	Legal Writing--- How to Draft Modern Documents (V)	※Pronouns ※Inclusive language ※Problems with "and" , "or"	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.209-214(2 nd ed., 2006).
Week 17	Legal Writing--- How to Draft Modern Documents (VI)	※Drafting in the present tense ※Deeds ※Amending documents formally	Peter Butt & Richard Castle, Modern Legal Drafting, Cambridge University Press, pp.215-219(2 nd ed., 2006).
Week 18	Conclusion	Conclusion of all topics discussed this semester.	