

國立中正大學 115 學年第 1 學期 課程大綱

課程名稱(中文)：	法學英文（一）
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能力；（2）增進修課學生因應國考「法學英文」考科之知能；（3）訓練修課學生以英文進行法學研究之能力。
學習目標：	全面提升修課學生法學英文之說、聽、讀、寫與研究能力。
參考書目：	1. Burnham, William, Introduction to the Law and Legal System of the United States, 3rd ed., West Group, 2002. 2. Cohen Morris L., and Kent C. Olson, Legal Research in a Nutshell, 7th ed., West Group, 2000. 3. Davies, Jack, Legislative Law and Process, 2nd ed., West Group, 1986. 4. Kempin, Frederick G., Jr., Historical Introduction to Anglo-American Law, 3rd ed., West Publishing Co., 1990. 5. Morrison, Alan B., Fundamentals of American Law, Oxford University Press, 1996. 6. New York University School of Law, Fundamentals of American Law, Oxford University Press Inc., 1998. 7. Reynolds, William L., Judicial Process, 3rd ed., West Group, 2003. 8. Squires, Lynn B., Marjorie Dick Rombauer, and Katherine See Kennedy, Legal Writing in a Nutshell, 2nd ed., West Group, 1996. 9. Walker, Timothy, Introduction to American Law, 9th ed., The Lawbook Exchange, Ltd., 2002. 10. Wendal, W. Bradley, Professional Responsibility, 2nd ed., Wolters Kluwer, 2007. （請尊重智慧財產權，不得非法影印教師指定之教科書籍）

教學要點概述：

1. 教材編選：☒ 自編教材 ☒ 教科書作者提供

2. 教學方法：☒ 投影片講述 ☒ 板書講述

3. 評量方法：☒ 上課點名與表現 50%, ☐ 小考 0%, ☐ 作業 0%, ☐ 程式實作 0%,
☐ 實習報告 0%, ☐ 專案 0%, ☐ 期中考 0%, ☐ 期末考 0%,
☒ 期末報告 50%, ☐ 其它 0%

4. 教學資源：☐ 課程網站 ☒ 教材電子檔供下載 ☐ 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--- Common Law Systems (I)	※Discussing the issues involved --- The Reception of the Common Law in America --- The Growth of Legislation and Regulation	William Burnham, Introduction to the Law and Legal System of the United States, pp.41-49, 3 rd ed., West Group, 2002.
Week 3	Reading and Discussion--- Common Law Systems (II)	※Discussing the issues involved --- Precedent and the Growth of the Law --- The Institutions and Method of the Common Law	William Burnham, Introduction to the Law and Legal System of the United States, pp.49-52, 3 rd ed., West Group, 2002.
Week 4	Reading and Discussion---	※Discussing the issues involved	William Burnham, Introduction to the Law and Legal System of the United States, pp.37-40, 3 rd ed., West Group,

	Common Law Systems (III)	--- Interpretation of Statutes --- The Future of the Common Law	2002.
Week 5	Reading and Discussion--- The Sources and Limits of Legal Authority(I)	※Discussing the issues involved --- The Basic Allocation of State Federal Authority --- Protection from the Burdens of Multi-State Legal Authority	New York University School of Law, Fundamentals of American Law, pp.28-41, Oxford University Press Inc., 1998.
Week 6	Reading and Discussion--- The Sources and Limits of Legal Authority (II)	※Discussing the issues involved --- The Distinct Character of Separation of Powers Issues in the US	New York University School of Law, Fundamentals of American Law, pp.41-51, Oxford University Press Inc., 1998.
Week 7	Reading and Discussion--- The Sources and Limits of Legal Authority (III)	※Discussing the issues involved --- The Robust Constitutional Judiciary	New York University School of Law, Fundamentals of American Law, pp.52-56, Oxford University Press Inc., 1998.
Week 8	Reading and Discussion--- Courts(I)	※Discussing the issues involved --- Methods of Selecting Judges	William Burnham, Introduction to the Law and Legal System of the United States, pp.177-183, 3 rd ed., West Group, 2002.
Week 9	Reading and Discussion--- Courts(II)	※Discussing the issues involved --- Parallel Systems of Adjudication	William Burnham, Introduction to the Law and Legal System of the United States, pp.189-195, 3 rd ed., West Group, 2002.

Week 10	Reading and Discussion--- Litigation(I)	✂Discussing the issues involved --- Starting a Lawsuit --- Responses to the Complaint	New York University School of Law, Fundamentals of American Law, pp.61-66, Oxford University Press Inc., 1998.
Week 11	Reading and Discussion--- Litigation(I)	✂Discussing the issues involved --- Discovery --- Summary Judgment	New York University School of Law, Fundamentals of American Law, pp.70-74, Oxford University Press Inc., 1998.
Week 12	Reading and Discussion--- Litigation(II)	✂Discussing the issues involved --- Trial --- Appeals	New York University School of Law, Fundamentals of American Law, pp.75-80, Oxford University Press Inc., 1998.
Week 13	Reading and Discussion--- The American Legal Profession (I)	✂Discussing the issues involved --- Entering the Profession --- Regulating the Profession	William Burnham, Introduction to the Law and Legal System of the United States, pp.126-139, 3 rd ed., West Group, 2002.
Week 14	Reading and Discussion--- The American Legal Profession (II)	✂Discussing the issues involved --- Malpractice and Related Crime --- Right to Counsel	William Burnham, Introduction to the Law and Legal System of the United States, pp.140-158, 3 rd ed., West Group, 2002.
Week 15	Reading and Discussion---	✂Discussing the issues involved	William Burnham, Introduction to the Law and Legal System of the United States, pp.159-166, 3 rd ed., West

	The American Legal Profession (III)	--- Conflicts of Interest --- Confidentiality	Group, 2002.
Week 16	Legal Research --- Westlaw Training and Practice	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).