## PART ONE: GENERAL PART

•	SEC	TION 1: INTRODUCING LAW	.2'
	1.1	DEFINITION OF LAW	2
	1.2	LAW AND MORALITY	2
	1.3	CHANGES IN THE LAW	.23
	1.4	CLASSIFICATION OF LAW	.24
	1.5	DISTINCTIONS BETWEEN CIVIL LAW AND CRIMINAL LAW	.2
	1.6	DOUBLE LIABILITY	.26
	TASI	KS	.2
•	SEC	CTION 2: LEGAL PROFESSION	.3
	A.	LEGAL PROFESSION IN ENGLAND AND WALES	3
	2.1	SOLICITORS	.33
		2.1.1 Training Route to Become a Solicitor	.30
		2.1.2 Solicitor's Work	.34
	2.2	BARRISTERS	.3
		2.2.1 Training Route to Become a Barrister	.38
		2.2.2 Barrister's Work	
		LIABILITY FOR NEGLIGENCE.	
		FUSION OF THE LEGAL PROFESSION	
		LEGAL FEES.	
		LEGAL PROFESSION IN THE UNITED STATES.	
		TRAINING ROUTE TO BECOME A LAWYER	
		LEGAL CAREERS.	
		LEGAL FEES.	
		KS	
	POI	NTS OF INTEREST	4
•	SEC	CTION 3: JURY.	4
	A.	JURY IN ENGLAND AND WALES	4
	3.1	ELIGIBILITY FOR JURY SERVICE	4
	3.2	SELECTION OF THE JURY.	.4
		CHALLENGING	
		ADVANTAGES AND DISADVANTAGES OF JURY TRIAL.	
	3.5	PERVERSE VERDICT.	
	B.	JURY IN THE UNITED STATES.	
	3.1	TYPES OF JURIES.	4

3.2	SELECTION OF THE GRAND AND PETIT JURY.	49
3.3	GRAND JURY HEARING	49
3.4	CHALLENGING.	49
TAS	KS	51
POII	NTS OF INTEREST	56
• SEC	CTION 4: DEVELOPMENT OF COMMON LAW.	57
4.1	THE COMMON LAW.	57
4.2	DEVELOPMENT OF EQUITY	58
4.3	EQUITABLE REMEDIES	60
4.4	MAXIMS OF EQUITY	60
4.5	FUSION OF EQUITY AND COMMON LAW	61
TAS	KS	61
SEC	CTION 5: SOURCES OF LAW	65
A.	SOURCES OF ENGLISH LAW.	65
5.1	LEGISLATION.	65
	5.1.1 Legislative Process	66
	5.1.2 Codification and Consolidation	67
	5.1.3 Delegated Legislation	67
	5.1.4 Advantages and Disadvantages of Delegated Legislation	68
5.2	EUROPEAN LAW.	
5.3	CASE LAW	69
	5.3.1 Parts of the Precedent	70
	5.3.2 Ways of Avoiding Precedents	71
	5.3.3 Advantages of Case Law	72
	5.3.4 Disadvantages of Case Law	
5.4	BOOKS OF AUTHORITY	72
5.5	CUSTOM	73
TAS	KS	73
POI	NTS OF INTEREST.	75
B.	SOURCES OF LAW IN THE UNITED STATES OF AMERICA.	77
5.1	INTRODUCTION	77
5.2	CLASSIFICATION AND ANALYSIS OF THE SOURCES OF LAW IN THE USA	78
	5.2.1 Constitutional Law	78
	5.2.2 Statutory Law (Legislation)	79
	5.2.3 Administrative Law	79
	5.2.4 Case Law	80
TAS	SKS	81
POI	INTS OF INTEREST	85

## PART TWO: PRIVATE LAW

•	SEC	CTION 1: FAMILY LAW	.89
	1.1	COHABITATION	.89
	1.2	CIVIL PARTNERSHIPS	90
	1.3	MARRIAGE	90
		1.3.1 Nullity	.91
		1.3.2 Rights and Duties of Married Partners	91
	POI	NTS OF INTEREST	93
	1.4	TERMINATION OF MARRIAGE	93
		1.4.1 Divorce	.94
		1.4.2 Divorce Procedure	
		1.4.3 Property Settlement	
		1.4.4 Proceedings Relating to Children	
		JUDICIAL SEPARATION	
		KS	
	POI	NTS OF INTEREST	.103
•	SEC	CTION 2: LAW OF SUCCESSION	109
	2.1	DRAWING UP A WILL	.109
		2.1.1 Testamentary Capacity of the Testator	
		2.1.2 Formalities of the Will	
	2.2	PRIVILEGED WILLS.	.110
	2.3	AMENDING A WILL	.110
	2.4	REVOKING A WILL	.111
	2.5	GIFTS OF PROPERTY	.111
	2.6	INTESTACY (INTESTATE SUCCESSION).	.112
	2.7	TESTAMENTARY FREEDOM	
	2.8	REJECTING AN INHERITANCE.	.113
	2.8	PERSONAL REPRESENTATIVES OF THE ESTATE	
	TAS	KS	.116
	POI	NTS OF INTEREST	.118
		CTION 3: LAW OF CONTRACT	
•			
	3.1		
	3.2	CLASSIFICATION OF CONTRACTS.	
	3.3	FORMATION OF A CONTRACT.	
		3.3.1 Offer	
		3.3.2 Acceptance	
		3.3.3 Consideration	.123

		3.3.4 Capacity	124
		3.3.5 Intention to Create Legal Relations	124
	3.4	VALIDITY OF A CONTRACT.	
		3.4.1 Misrepresentation	
		3.4.2 Mistake	
		3.4.3 Duress.	
	3.5	TERMS OF A CONTRACT.	
		3.5.1 Exemption Clauses	
	3.6	DISCHARGE OF CONTRACTS.	
	3.7	REMEDIES FOR BREACH OF CONTRACT.	
		<s< td=""><td></td></s<>	
		NTS OF INTEREST	
•	SEC	TION 4: LAW OF TORTS.	146
	4.1	INTRODUCING TORTS.	146
	4.2	DEFINING A TORT.	146
	4.3	COMPARISON WITH CRIMINAL LAW	.147
	4.4	NEGLIGENCE.	.147
		4.4.1 Duty of Care	148
		4.4.2 Breach of Duty	
		4.4.3 Causation	
		4.4.4 Damage	
		4.4.5 Legal Remedies	
	4.5	TORTS INVOLVING TRESPASS.	
		4.5.1 Trespass to the Person	
		4.5.2 Trespass to Land	
	4.6	INTENTIONAL TORTS.	
	4.0	4.6.1 Malicious Prosecution	
		4.6.3 Defamation	
	4.7	NUISANCE	
	4.8	TYPES OF DAMAGES IN TORT LAW.	
	4.9	GENERAL DEFENCES IN TORT LAW.	
		STRICT LIABILITY.	
		VICARIOUS LIABILITY	
		KS	
		NTS OF INTEREST.	
•		CTION 5: BUSINESS ASSOCIATIONS.	
	5.1	SOLE PROPRIETORSHIP	171

5.2	PARTNERSHIP	
	5.2.1 Formation of Partnership	
	5.2.2 Typical Features of Partnership	
5.3	LIMITED PARTNERSHIP	,
	5.3.1 Statutory Requirements	
	5.3.2 Taxation	
5.4	MODIFIED FORMS OF PARTNERSHIPS	;
	5.4.1 Limited Liability Partnership	;
	5.4.2 Limited Liability Company	;
TAS	KS	,
	U.S. CORPORATIONS. 179	
	5.5.1 Share Subscription	
	5.5.2 Sources of Corporate Funds	
	5.5.3 Types of Corporations	
	5.5.4 Structure of Corporations	
	5.5.5 Mergers and Consolidations	
	5.5.6 Termination of the Corporation	
	5.5.7 Multinational Corporations	}
TAS	KS	
5.6	LIMITED COMPANY IN THE UNITED KINGDOM	
	5.6.1 Types of Limited Companies	
	5.6.2 Basic Features of Limited Companies	
	5.6.3 Companies Act 2006	
TAS	KS	
SEC	TION 6: PROPERTY LAW	i
6.1	Classification	
6.2	Nature of Property Rights	
0.2	6.2.1 Ownership	
	6.2.2 Possession	
6.3	Personal Property	
6.4	REAL PROPERTY AND LAND LAW	
0.4	6.4.1 Brief Historical Background	
	•	
	6.4.2 Legal Estates       198         6.4.3 Legal Interests       198	
	6.4.4 Equitable Interests	
	6.4.5 Interests in Real Property Defined by Degree of Control of Ownership	
	6.4.6 Interests in Real Property Defined by Degree of Control of Ownership	
	6.4.7 Interests in Real Property Defined by Time	
	6.4.8 Non-Possessory Interests in Land	า
	U.7.U INUITI USSESSUIY IIILEIESIS III LAIIU	,

6.5	LAND REGISTRATION SYSTEM.	200
TAS	KS	201
SEC	TION 7: INTELLECTUAL PROPERTY	204
7.1	GENERAL INTRODUCTION	
7.2	COPYRIGHT.	
	7.2.1 Introduction	
	7.2.2 Some Relevant Aspects of Copyright Law	
7.3	PATENTS	
	7.3.1 Introduction	
	7.3.2 Some Relevant Aspects of Patent Law	.209
7.4	TRADEMARK (SERVICEMARK)	209
	7.4.1 Introduction	.209
	7.4.2 Some Relevant Aspects of Trademark (Servicemark) Law	210
7.5	TRADE SECRET.	.211
	7.5.1 Introduction	.211
	7.5.2 Some Relevant Aspects of Trade Secret Law	.211
7.6	VIOLATION OF INTELLECTUAL PROPERTY LAWS (RIGHTS).	.211
TAS	KS	212
POI	nts of interest	217
SEC	CTION 8: TRUSTS	218
8.1	DEFINITION	218
8.2	CLASSIFICATION	219
8.3	TRUSTEES	220
		.220
	8.3.1 Appointment of Trustees	
	8.3.1 Appointment of Trustees	.220
		.220
	8.3.2 Duties of Trustees	.220 .220 .220
8.4	8.3.2 Duties of Trustees	.220 .220 .220 .221
	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust	.220 .220 .220 .221 .221
TAS	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT.	220 220 220 221 221 222
TAS	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS.	220 220 220 221 221 222 224
TAS SEC A.	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS. CTION 9: CIVIL JUSTICE SYSTEM. CIVIL COURTS IN ENGLAND AND WALES.	220 220 221 221 221 222 224
TAS SEC A.	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS. CTION 9: CIVIL JUSTICE SYSTEM.	220 220 221 221 221 222 <b>224</b> 224 225
TAS SEC A.	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS.  CTION 9: CIVIL JUSTICE SYSTEM.  CIVIL COURTS IN ENGLAND AND WALES.  JURISDICTION AND COMPOSITION OF INFERIOR COURTS.	220 220 221 221 222 224 224 225 225
TAS SEC A.	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS. CTION 9: CIVIL JUSTICE SYSTEM. CIVIL COURTS IN ENGLAND AND WALES. JURISDICTION AND COMPOSITION OF INFERIOR COURTS. 9.1.1 Magistrates' Courts.	220 220 221 221 222 224 224 225 225 225
TAS <b>SEC</b> <b>A</b> . 9.1	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS. CTION 9: CIVIL JUSTICE SYSTEM. CIVIL COURTS IN ENGLAND AND WALES. JURISDICTION AND COMPOSITION OF INFERIOR COURTS. 9.1.1 Magistrates' Courts 9.1.2 County Courts	220 220 221 221 222 224 224 225 225 225 225
TAS <b>SEC</b> <b>A</b> . 9.1	8.3.2 Duties of Trustees 8.3.3 Powers of Trustees 8.3.4 Liability for Breach of Trust TRUST IN ASSET MANAGEMENT. KS.  CTION 9: CIVIL JUSTICE SYSTEM.  CIVIL COURTS IN ENGLAND AND WALES.  JURISDICTION AND COMPOSITION OF INFERIOR COURTS. 9.1.1 Magistrates' Courts. 9.1.2 County Courts.  JURISDICTION AND COMPOSITION OF SUPERIOR COURTS.	220 220 221 221 222 <b>224</b> 225 225 225 225 225

•

9.3	JUDICIAL COMMITTEE OF THE PRIVY COUNCIL	227
9.4	THE EUROPEAN COURT OF JUSTICE AND THE EUROPEAN COURT OF HUMAN RIGHTS	229
TAS	KS	229
CIVI	IL PROCEEDINGS IN ENGLAND AND WALES	.232
9.5	THE COURTS AND THE RULES OF CIVIL PROCEDURE	.232
9.6	PRE-TRIAL PROCEEDINGS.	.232
	9.6.1 Pre-Action Matters/Pre Action Protocols	.232
	9.6.2 Commencing a Claim	
	9.6.3 Case Management	.234
	9.6.5 Evidence by Witnesses	234
9.7	TRIAL	. 235
9.8		
	9.8.1 Injunctions	
	9.8.2 Costs	
	9.8.3 Settlement	
	9.8.4 Enforcement of Judgment	
	PROCESS ON APPEAL	
	SKS	
В.	CIVIL PROCEDURE IN THE USA	
9.1	INTRODUCTION.	
9.2	,,,, (,, .	
	PREPARING TRIAL	
9.4		
	POST-TRIAL MOTIONS.	
	SKS	
• SEC	TION 10: ALTERNATIVE DISPUTE RESOLUTION	254
10.1	1 INTRODUCTION	254
10.2	2 NEGOTIATION	257
10.3	3 MEDIATION	258
	10.3.1 Preparation for and Initiation of Mediation	.259
	10.3.2 The Procedure	260
	10.3.3 Mediation v. Conciliation	260
10.4	4 ARBITRATION	
	10.4.1 Preparation for and Initiation of Arbitration	
	10.4.2 The Procedure	
	OTHER MEANS OF ALTERNATIVE DISPUTE SETTLEMENT	
TAS	SKS	. 264

## PART THREE: PUBLIC LAW

•	SEC	CTION 1: CONSTITUTIONAL LAW.	
	1.1	INTRODUCTION	271
	1.2	SELECTED FEATURES OF CONSTITUTIONS AND CONSTITUTIONAL SYSTEMS	272
	1.3	US CONSTITUTIONAL LAW	274
		1.3.1 Brief History of the Constitution of the United States of America	274
		1.3.2 Some Characteristic Features of the US Constitution & US Constitutional Law.	275
		1.3.3 Short Analysis of the US Constitution	276
		1.3.4 The US President	280
	1.4	UK CONSTITUTIONAL LAW	281
		1.4.1 Brief Introduction into the Constitutional Law of the UK	281
		1.4.2 Sources of the UK Constitution 16)	282
		1.4.3 Major Principles of the UK Constitution	283
		1.4.4 British Parliament	283
		1.4.5 British Government	284
		1.4.6 British Sovereign	285
	TAS	SKS	286
	POII	NTS OF INTEREST	290
•	SEC	CTION 2: SUBSTANTIVE CRIMINAL LAW	292
	2.1	THE DEFINITION OF A CRIME	292
	2.2	CHARACTERISTICS OF A CRIME	
	2.3	CLASSIFICATION OF CRIMES.	
	2.4		
		2.4.1 Actus Reus	
		2.4.2 Mens Rea	
		2.4.3 Chain of Causation.	
	2.5		
		2.5.1 Murder and Manslaughter	
		2.5.2 Non-fatal Offences against the Person	
		2.5.3 Offences against Property	
	2.6		
		2.6.1 Infancy	
		2.6.2 Insanity	
		2.6.3 Automatism	
		2.6.4 Mistake	307
		2.6.5 Intoxication	307
		2.6.6 Duress and Necessity	308
		2.6.7 Self-defence	308

	<b>(S</b>	
POIN	its of interest	
SEC	TION 3: CRIMINAL JUSTICE PROCESS.	31
A.	CRIMINAL JUSTICE PROCESS IN ENGLAND AND WALES.	31
3.1	GENERAL INTRODUCTION TO THE CRIMINAL PROCESS	31
3.2	POLICE POWERS TO STOP AND SEARCH.	31
	3.2.1 Entry and Search of Premises	
3.3	POWERS OF ARREST	
	3.3.1 Rights of Detainees.	
3.4	•	
TASI	KS	
	NTS OF INTEREST.	
В.	CRIMINAL JUSTICE PROCESS IN THE UNITED STATES.	
3.5	ADVERSARIAL/ACCUSATORIAL AND INQUISITORIAL SYSTEMS: A COMPARISON	
	PRE/TRIAL PROCEDURES.	
0.0	3.6.1 Arrest	
	3.6.2 Booking	
	3.6.3 Bail	
	3.6.4 Fundamental Rights.	
	3.6.5 Getting Charged with Crimes	
	3.6.6 First Appearance	
	3.6.7 Preliminary hearing/examination	
TAS	KS	
	TRIAL	
	3.7.1 Choosing a Jury	33
	3.7.2 Opening Statements	
	3.7.3 Witness Testimony and Cross-Examination	
	3.7.4 Closing Arguments	
	3.7.5 Jury's Tasks	34
3.8	POST-TRIAL PROCEDURES.	34
	3.8.1 Sentencing and Punishment	34
	3.8.2 Appeals	34
TAS	KS	34
SEC	CTION 4: CRIMINAL COURTS AND PROCEDURE IN ENGLAND AND WALES.	
4.1	CLASSIFICATION OF OFFENCES	34
4.2	MAGISTRATES' COURTS.	34
	4.2.1 Magistrates	
	4.2.2 Disadvantages and Advantages of Lay Magistrates	

4.3	PROCEDURE IN THE MAGISTRATES' COURT	. 348
	4.3.1 Procedure for Summary Offences	349
	4.3.2 Procedure for Offences Triable Either Way	350
	4.3.3 Appeals from the Magistrates' Court	350
4.4	THE CROWN COURT	.351
	4.4.1 Trial on Indictment	.351
	4.4.2 Procedure in the Crown Court	.351
	4.4.3 Examination of Witnesses	352
	4.4.4 Appeals Following a Trial in the Crown Court	.353
4.5	HIERARCHY OF THE CRIMINAL COURTS	354
4.6	SENTENCES	354
	4.6.1 Custodial Sentences	354
	4.6.2 Community Sentences	355
	4.6.3 Discharges and Other Sentences	355
4.7	CORONER'S COURT	356
TAS	SKS	356
• SFC	TION 5: COURTS IN THE UNITED STATES.	361
5.1	SYSTEM OF COURTS.	
5.1	5.1.1 Trial Courts	
	5.1.2 Appellate Courts	
	5.1.3 Dual System of State and Federal Courts	
5.2		
5.2	5.2.1 Jurisdiction	
	5.2.2 Trial Courts of Limited Jurisdiction	
	5.2.3 Trial Courts of General Jurisdiction	
	5.2.4 Intermediate Appellate Courts	
	5.2.5 Courts of Last Resort	
	5.2.6 Administration: Court Clerks and Court Administrators	
TAS	SKS.	
0.0	5.3.1 Jurisdiction	
	5.3.2 U.S. District Courts	
	5.3.3 Federal Courts with Specialized Jurisdiction	
	5.3.4 The Courts of Appeals.	
	5.3.5 United States Supreme Court	
	5.3.6 Administration and Staff in the Federal Judiciary	
TAS	SKS	