#### Министерство науки и высшего образования Российской Федерации

#### Федеральное государственное бюджетное образовательное учреждение

#### высшего образования

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**(ВлГУ)**

Юридический институт



УТВЕРЖДАЮ:

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«\_\_\_\_»\_\_\_\_\_\_\_\_\_\_\_\_\_\_2022 г.

**ФОНД ОЦЕНОЧНЫХ МАТЕРИАЛОВ (СРЕДСТВ) ПО ДИСЦИПЛИНЕ**

**ИНОСТРАННЫЙ ЯЗЫК В СФЕРЕ ЮРИСПРУДЕНЦИИ (АНГЛИЙСКИЙ)**

направление подготовки / специальность

**40.05.04 Судебная и прокурорская деятельность**

направленность (профиль) подготовки

**Судебная деятельность**

г. Владимир

2022

**1. ПЕРЕЧЕНЬ КОМПЕТЕНЦИЙ И ПЛАНИРУЕМЫЕ РЕЗУЛЬТАТЫ ОБУЧЕНИЯ ПО ДИСЦИПЛИНЕ**

|  |  |  |  |
| --- | --- | --- | --- |
| **Формируемые компетенции (код, содержание компетенции)** | **Планируемые результаты обучения по дисциплине, в соответствии с индикатором достижения компетенции** | | **Наименование оценочного средства** |
| **Индикатор достижения компетенции** | **Результаты обучения по дисциплине** |
| УК-4. Способен применять современные коммуникативные технологии, в том числе на иностранном (ых) языке (ах), для академического и профессионального взаимодействия | УК-4.1  УК-4.2  УК-4.3 | Знает правила и закономерности личной и деловой устной и письменной коммуникации, современные коммуникативные технологии на русском и иностранном языках.  УК-4.2. Умеет осуществлять коммуникацию в устной и письменной формах; обоснованно выбирать оптимальные средства коммуникации и коммуникативные технологии с учетом специфики академического и профессионального взаимодействия.  УК-4.3. Владеет навыками применения современных коммуникативных технологий, в том числе на иностранном языке, для академического и профессионального взаимодействия. | Тестовые вопросы,  Ситуацион-ные задачи (беседы и моделирование ситуаций) |

**2. ОЦЕНОЧНЫЕ МАТЕРИАЛЫ ДЛЯ ПРОВЕДЕНИЯ ТЕКУЩЕГО КОНТРОЛЯ УСПЕВАЕМОСТИ ПО ДИСЦИПЛИНЕ**

**3 семестр**

**Рейтинг-контроль 1.**

**Письменный перевод текста профессиональной направленности с английского языка на русский**

**Judicial accountability and independence**

We are all familiar with media reports of a government minister who is forced to resign or dismissed for behaviour which is or is perceived to be inappropriate or for incompetence in the performance of his or her duties. There are also many press headlines which condemn a judge or magistrate, for example for handing down a “soft” sentence, but there are almost none which announce that the judge in question has resigned or has been dismissed as a result of that criticism. Many may wonder why steps are not taken to dismiss such judges or to force them to resign. Why is it that judges and magistrates appear to be unaccountable in the face of such criticism? Why is it that the way they are treated appears to be different to the treatment of many others, from government ministers and public officials, to the directors and employees of companies?

The truth is that the judiciary is accountable, but in a different manner. The reason for this difference is a fundamental feature of our constitution going to the very heart of our democracy. The difference stems from the need to ensure that judges are impartial and independent of central and local government and from pressures from the media, companies, and pressure groups while exercising their judicial functions. That need is also reflected in the constitutions of all democratic countries.

The extent to which the judiciary in England and Wales are accountable, how they are accountable, and why there is a need for judges to be completely independent from Government and other powerful groups, are difficult questions.

**Критерии оценки перевода**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | перевод текста выполнен на высоком языковом уровне |
| «хорошо» - 4 балла | перевод текста выполнен на хорошем уровне |
| «удовлетв.» - 3 балла | перевод текста выполнен на посредственном уровне |
| «неудовлетв.» - 2 балла | перевод выполнен на низком языковом уровне или не выполнен вовсе |

**Рейтинг-контроль 2.**

**Реферирование/аннотирование текстов профессиональной направленности.**

**The Coroners’ System**

Unlike the unified courts system, administered by HM (Her Majesty’s) Courts and Tribunals Service, there are 92 separate coroners’ jurisdictions in England and Wales. Each jurisdiction is locally funded and resourced by local authorities.

Coroners are barristers, solicitors or medical practitioners of not less than five years standing, who continue in their legal or medical practices when not sitting as coroners.

Some 32 coroners are “whole time” coroners and are paid an annual salary regardless of their caseload. The remainder are paid according to the number of cases referred to them. The coroner’s jurisdiction is territorial – it is the location of the dead body which dictates which coroner has jurisdiction in any particular case.

Coroners are required to appoint a deputy or assistant deputy to act in their stead if they are out of the district or otherwise unable to act. Deputies and assistant deputies have the same professional qualifications as the coroner.

In exceptionally high-profile or complex cases, a serving judge may be appointed as a deputy coroner. For example, in 2007 Lord Justice Scott Baker was appointed as Assistant Deputy Coroner for the purposes of hearing the inquests into the deaths of Diana, Princess of Wales. Lady Justice Hallett has been appointed Assistant Deputy Coroner in order to conduct the inquests into the deaths of the 56 people killed in the London bombings on 7 July 2005. 39

Although the post they hold is judicial, and legal qualifications and experience are often required, coroners are not considered to be members of the courts judiciary. The office of coroner was formally established in 1194, originally as a form of tax gatherer. In the centuries since, the role has evolved into an independent judicial officer, charged with the investigation of sudden, violent or unnatural death

**Критерии оценки**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | высокая объективность изложения в реферате/аннотации содержания первичного документа; полное отражения его содержания; последовательное изложения материала; продемонстрировано использование специального лексического аппарата, полное соответствие стилю |
| «хорошо» - 4 балла | достаточная объективность изложения в реферате/аннотации содержания первичного документа; достаточно полное отражения его содержания; достаточно последовательное изложения материала; продемонстрировано достаточное использование специального лексического аппарата; достаточно полное соответствие стилю |
| «удовлетв.» - 3 балла | недостаточная объективность изложения в реферате/аннотации содержания первичного документа; неполное отражения его содержания; не достаточно последовательное изложения материала; продемонстрировано недостаточное использование специального лексического аппарата; не достаточно полное соответствие стилю |
| «неудовлетв.» - 2 балла | объективность изложения в реферате/аннотации содержания первичного документа отсутствует; не отражено его содержание; продемонстрировано слабое использование специального лексического аппарата; полное несоответствие стилю |

**Рейтинг-контроль 3.**

**Реферирование/аннотирование текстов профессиональной направленности.**

**The Profession of a Barristor**

A barrister, one of the two types of practicing lawyers in England and Wales, the other being the solicitor. In general, barristers engage in advocacy (trial work) and solicitors in office work, but there is a considerable overlap in their functions. The solicitor, for example, may appear as an advocate in the lower courts, whereas barristers are often called upon to give opinions or to draft documents.

Only barristers may appear as advocates before the High Court. They are known collectively as the bar, and it is from their ranks that the most important judicial appointments are made. To be a barrister it is necessary to be a member of one of the four Inns of Court (Inner Temple, Middle Temple, Lincoln’s Inn, and Gray’s Inn). A prospective (будущий) barrister must complete a program of academic study and undergo vocational and professional training (pupillage) and must satisfy certain traditional requirements, such as attending a specified number of formal dinners at the respective inn. Students who have completed all but the pupillage stage of their training are eligible to be called to the bar, whereupon they assume the title “barrister”—though they are not permitted to refer to themselves as such in connection with the provision of legal services until they have completed their pupillage.

The General Council of the Bar, also called the Bar Council, is the representative body of barristers in England and Wales. It acts in matters of general concern to the profession and, through the independent Bar Standards Board, regulates the professional conduct of its members. A barrister is required to accept any case for a proper professional fee, for example, regardless of his personal feelings, except when there are circumstances of conflicting interests of clients. Furthermore, if a barrister does not receive payment for his work, he may not take action in court to obtain it. Barristers cannot create formal partnerships with other barristers or with solicitors, nor can they carry on any other profession or business

**Критерии оценки**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | высокая объективность изложения в реферате/аннотации содержания первичного документа; полное отражения его содержания; последовательное изложения материала; продемонстрировано использование специального лексического аппарата, полное соответствие стилю |
| «хорошо» - 4 балла | достаточная объективность изложения в реферате/аннотации содержания первичного документа; достаточно полное отражения его содержания; достаточно последовательное изложения материала; продемонстрировано достаточное использование специального лексического аппарата; достаточно полное соответствие стилю |
| «удовлетв.» - 3 балла | недостаточная объективность изложения в реферате/аннотации содержания первичного документа; неполное отражения его содержания; не достаточно последовательное изложения материала; продемонстрировано недостаточное использование специального лексического аппарата; не достаточно полное соответствие стилю |
| «неудовлетв.» - 2 балла | объективность изложения в реферате/аннотации содержания первичного документа отсутствует; не отражено его содержание; продемонстрировано слабое использование специального лексического аппарата; полное несоответствие стилю |

**4 семестр**

**Рейтинг-контроль 1.**

***Задание 1. Письменный перевод текста профессиональной направленности с английского языка на русский.***

**Reform**

In his 1997 book No Matter How Loud I Shout, a study of the Los Angeles' Juvenile Courts, Edward Humes argued that juvenile court systems are in need of radical reform. He stated that the system sends too many children with good chances of rehabilitation to adult court while pushing aside and acquitting children early on the road to crime instead of giving counseling, support, and accountability. 57% of children arrested for the first time are never arrested again, 27% are arrested one or two more times, and 16% commit four or more crimes.

In the United States specifically, there are arguments made against having a separate court for youths and juvenile delinquents. From this perspective, the construction of youth and being young is morphing and as such people believe the legal system should reflect these changes. Childhood currently, looks very different and is socially constructed in a much different pattern than in past historical context. Some argue that within our current social climate, a juvenile court system and having a separate deferment for people 94 under the age of majority is no longer necessary as there are such blurred lines between the stages of childhood, youth, and young adulthood.

On a global scale, the United Nations has implemented reforms as it relating to juvenile courts and juvenile justice as a whole. Rules and regulations have been implemented to protect the children's rights, more specifically creating guidelines for punishment. Movements towards less punitive measures or agencies have been a trend in this regard. For example, in the United Nations general assembly, there was a proposal that "no child or young person should be subjected to harsh or degrading correction or punishment measures".] Many Western countries have been condemned for not put these policies into practice nor differentiate the youths from adults in procedure or punishment. The United Nations believes that youths should have less harsh punishment and be deferred to more community supportive programs like tribunals or courts geared towards young people. In Western Europe, there are many countries also criticized and looked at by the United Nations for the disproportionate representation of racial and ethnic minorities in the juvenile court system of the racial and ethnic minority being over-represented

**Тест по теме «Инфинитив»**

1. He agreed \_\_\_\_\_ the job as soon as possible.

A) start

B) starting

C) to start

D) starts

2. I stopped \_\_\_\_\_ my book and went to bed.

A) to read

B) read

C) will read

D) reading

3. My teachers always expected me \_\_\_\_\_ well in exams.

A) did

B) doing

C) do

D) to do

4. Let me \_\_\_\_\_ for the meal. You paid last time.

A) pay

B) to pay

C) paid

D) paying

5. The dentist told me \_\_\_\_\_ more careful when I brush my teeth.

A) will be

B) being

C) to be

D) be

6. I never liked \_\_\_\_\_ to church when I was a child.

A) going

B) to do

C) went

D) go

7. You can’t \_\_\_\_\_ your car outside the hospital.

A) parks

B) to park

C) park

D) parking

8. David always enjoyed \_\_\_\_\_ football at school.

A) to be played

B) playing

C) to play

D) play

9. My family is trying \_\_\_\_\_ where to go on holiday.

A) decided

B) decide

C) to decide

D) deciding

10. I’d like \_\_\_\_\_ somewhere different for a change.

A) went

B) to go

C) go

D) going

11. They prefer \_\_\_\_\_ in a swimming pool all day.

A) playing

B) plays

C) to play

D) to playing

12. They refuse \_\_\_\_\_ out on trips if it’s too hot.

A) to going

B) to go

C) going

D) go

13. Last year we managed \_\_\_\_\_ a holiday that suited everyone.

A) found

B) to find

C) find

D) finding

14. We decided \_\_\_\_\_ a house with a swimming pool.

A) renting

B) rent

C) to renting

D) to rent

15. We began \_\_\_\_\_ about next year’s holiday two months ago.

A) talked

B) talking

C) talks

D) talk

**Keys**

1 – C, 2 – D, 3 – D, 4 – A, 5 – C, 6 – A, 7 – C, 8 – B, 9 – C, 10 – B, 11 – A, 12 – B, 13 – B, 14 – D, 15 – B.

**Критерии оценки**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | 1. перевод текста выполнен на высоком языковом уровне  2. лексико-грамматическое задание выполнено без ошибок |
| «хорошо» - 4 балла | 1. перевод текста выполнен на хорошем уровне  2. лексико-грамматическое задание не содержит грубых ошибок, возможны  небольшие неточности |
| «удовлетв.» - 3 балла | 1. перевод текста выполнен на посредственном уровне  2. лексико-грамматическое задание содержит ошибки |
| «неудовлетв.» - 2 балла | 1. перевод выполнен на низком языковом уровне или не выполнен вовсе  2. не продемонстрировано владение лексико-грамматической базой |

**Рейтинг-контроль 2.**

**Задание 1. Реферирование текста профессиональной направленности.**

**Trial courts**

A trial court or court of first instance is a court having original jurisdiction, in which trials take place. A trial court of general jurisdiction is authorized to hear some type of civil or criminal case that is not committed exclusively to another court. In the United States, the United States district courts are the trial courts of general jurisdiction of the federal judiciary; each state has a system establishing trial courts of general jurisdiction, such as the Florida Circuit Courts in Florida, the Superior Courts of California in California, and the New York Supreme Court in New York state.

Not all cases are heard in trial courts of general jurisdiction. A trial court of limited jurisdiction is authorized to hear only specified types of cases. Trial courts of limited jurisdiction may be limited in subject-matter 96 jurisdiction (such as juvenile, probate, and family courts in many U.S. states, or the United States Tax Court in the federal judiciary) or by other means, such as small claims courts in many states for civil cases with a low amount in controversy. Other trials do not take place in courts at all, but in quasi-judicial bodies or in administrative agencies with adjudicatory power created by statute to make binding determinations with simplified procedural practices, such as arbitration.

Because different U.S. states apply different names to their courts, it is often not evident whether a court has general or limited jurisdiction. For instance, the Maine District Court is a court of limited jurisdiction, but the Nevada District Courts are courts of general jurisdiction.

In the trial court, evidence and testimony are admitted under the rules of evidence established by applicable procedural law and determinations called findings of fact are made based on the evidence. The court, presided over by one or more judges, makes findings of law based upon the applicable law. In most common law jurisdictions, the trial court often sits with a jury and one judge; in such jury trials, the jury acting as trier of fact. In some cases, the judge or judges act as triers of both fact and law, by either statute, custom, or agreement of the parties; this is referred to as a bench trial. In the case of most judges hearing cases through the bench trial process, they would prefer that all parties are given an opportunity to offer a vigorous and robust case presentation, such that, errors in testimony, procedures, statutes, etc., do not grow "crab legs" -- meaning compounded errors -- and are remanded or returned to their court on appeal.

**Тест по теме «Герундий»**

*(Обратите внимание, в некоторых вопросах теста употреблен не герундий, а инфинитив. Так вы сможете проверить, насколько хорошо вы отличаете употребление герундия и инфинитива).*

1. Do you like\_\_\_\_\_ football on TV?

A) watch

B) watched

C) watches

D) watching

2. Thank you for\_\_\_\_\_ me.

A) helping

B) help

C) to help

D) helped

3. I’m afraid of \_\_\_\_\_ mistakes.

A) to make

B) made

C) make

D) making

4. It is important \_\_\_\_\_.

A) to win

B) winning

C) win

D) won

5. A: This problem is too difficult. I can’t solve it.

B: Is it really too difficult for you \_\_\_\_\_?

A) solving

B) solve

C) to solve

D) solved

6. Have you got anything \_\_\_\_\_?

A) reading

B) to read

C) read

D) reads

7. She is good at \_\_\_\_\_.

A) to swim

B) swimming

C) swims

D) swum

8. My father does the \_\_\_\_\_ himself.

A) ironing

B) irons

C) to iron

D) iron

9. My mother does all the \_\_\_\_\_.

A) cleaning

B) to clean

C) cleans

D) clean

10. The boy \_\_\_\_\_ in the dentist’s chair has got toothache.

A) sitting

B) sat

C) sit

D) sits

**Keys**

1-D, 2-A, 3-D, 4-A, 5-C, 6-B, 7-B, 8-A, 9-A, 10-A.

**Критерии оценки**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | 1. высокая объективность изложения в реферате содержания первичного документа; полное отражения его содержания; последовательное изложения материала; продемонстрировано использование специального лексического аппарата, полное соответствие стилю  2. лексико-грамматическое задание выполнено без ошибок |
| «хорошо» - 4 балла | 1. достаточная объективность изложения в реферате содержания первичного документа; достаточно полное отражения его содержания; достаточно последовательное изложения материала; продемонстрировано достаточное использование специального лексического аппарата; достаточно полное соответствие стилю  2. лексико-грамматическое задание не содержит грубых ошибок, возможны  небольшие неточности |
| «удовлетв.» - 3 балла | 1. недостаточная объективность изложения в реферате содержания первичного документа; неполное отражения его содержания; не достаточно последовательное изложения материала; продемонстрировано недостаточное использование специального лексического аппарата; не достаточно полное соответствие стилю  2. лексико-грамматическое задание содержит ошибки |
| «неудовлетв.» - 2 балла | 1. объективность изложения в реферате содержания первичного документа отсутствует; не отражено его содержание; продемонстрировано слабое использование специального лексического аппарата; полное несоответствие стилю  2. не продемонстрировано владение лексико-грамматической базой |

**Рейтинг-контроль 3.**

**Задание 1. Реферирование текста профессиональной направленности.**

**The Structure of the Court System**

The American Court system is based on the English Common Law system. The basic idea is that there are two sides, the plaintiff and the defendant, who present their arguments before an impartial judge (and sometimes a jury). In a criminal case, the prosecutor acts as a plaintiff on behalf of the citizens or state.

It is the judge’s duty to determine what the law is in relation to the particular case at hand. It is the jury’s duty, in a jury trial (or also the judge’s, in trials without a jury – a bench trial) to determine what the facts are in the case. The lawyers in the case are charged with representing their respective clients to the very best of their ability. The outcome (or at least the goal) of this process is justice.

In the United States, there are more than 51 different interpretations of this basic model. Each of the 50 states has its own rules and procedures. The federal courts also have their own rules, which are occasionally interpreted differently in different parts of the country. However, for the most part, they are all very similar.

The system is generally a three-tiered one. A case is typically brought at the lowest level or court, usually a "District" or "Trial" court. Once this case is heard and a decision, or "judgment" has been made, both the defendant and the plaintiff have the opportunity to appeal the decision to an "Appellate Court" or "Court of Appeals." In other words, if they do not like what the judge and/or jury decided, they can complain to the next higher level in the court system, and try to get the decision reversed. However they can only appeal if they believe the judge made a legal error, not just because they are disappointed in the outcome.

At the Appellate Court level, there is usually a panel of three judges who hear arguments on either side. Judges at the Appellate Court can usually only decide matters of law. In general, all of the facts in the trial record are assumed to be true. The Appellate Court has three options: it can decide that the judge was wrong and change the judgment, it can decide the judge was wrong and send the case back for the judge to change (also called a "remand"), or it can agree with or "affirm" the judgment of the lower court.

**Задание 2.**

**Тест по теме «Причастие»**

*Choose the appropriate form of the participle.*

1. The questions … at yesterday’s meeting were interesting to everybody.

A. discussing

B. discussed

2. Many scientists have continued the work ... by I. P. Pavlov.

A. beginning

B. begun

3. We read the letter ... from our pen-friends in Moscow.

A. receiving

B. received

4. The children liked to listen to their grandfather ... stories about his youth.

A. telling

B. told

5. A group of … schoolchildren … flowers stood round the visitor.

A. exciting

B. excited

C. holding

D. held

6. We listened to his stories about the ... adventures of the expedition in the North.

A. exciting

B. excited

7. We ate vegetables ... in an unusual way.

A. preparing

B. prepared

8. There were two men ... at a table ... about something in low voices.

A. sitting

B. sat

C. arguing

D. argued

9. … the dictionary, he looked up the … word.

A. taking

B. taken

С. unknowing

D. unknown

10. She found her ... notebook on her father’s bookshelf.

A. losing

B. lost

11. The cars … the street moved very slowly.

A. filling

B. filled

12. A fish ... out of water cannot live.

A. taking

B. taken

13. The students ... part in the competition must be here at 4 o’clock.

A. taking

B. taken

14. ... the door, Mike found the room full of people.

A. opening

B. opened

15. The English ... since the fifteenth century is called Modern English.

A. using

B. used

16. She laughed again, … the story.

A. remembering

B. remembered

17. He spоке, when ... to.

A. speaking

B. spoken

18. While ... on the problem, he sat closer to the window.

A. speculating

B. speculated

19. The student ... this article is my friend.

A. writing

B. written

20. The article ... by this student is of great interest.

A. writing

B. written

**Keys**

1 – B, 2 – B, 3 – B, 4 – A, 5 - B, C, 6 – A, 7 – B, 8 - A, C, 9 - A, D, 10 – B, 11 – A, 12 – B, 13 – A, 14 – A, 15 – B, 16 – A, 17 – B, 18 – A, 19 – A, 20 – B

**Критерии оценки**

|  |  |
| --- | --- |
| Оценка | Критерии |
| «отлично» -5 баллов | 1. высокая объективность изложения в реферате содержания первичного документа; полное отражения его содержания; последовательное изложения материала; продемонстрировано использование специального лексического аппарата, полное соответствие стилю  2. лексико-грамматическое задание выполнено без ошибок |
| «хорошо» - 4 балла | 1. достаточная объективность изложения в реферате содержания первичного документа; достаточно полное отражения его содержания; достаточно последовательное изложения материала; продемонстрировано достаточное использование специального лексического аппарата; достаточно полное соответствие стилю  2. лексико-грамматическое задание не содержит грубых ошибок, возможны  небольшие неточности |
| «удовлетв.» - 3 балла | 1. недостаточная объективность изложения в реферате содержания первичного документа; неполное отражения его содержания; не достаточно последовательное изложения материала; продемонстрировано недостаточное использование специального лексического аппарата; не достаточно полное соответствие стилю  2. лексико-грамматическое задание содержит ошибки |
| «неудовлетв.» - 2 балла | 1. объективность изложения в реферате содержания первичного документа отсутствует; не отражено его содержание; продемонстрировано слабое использование специального лексического аппарата; полное несоответствие стилю  2. не продемонстрировано владение лексико-грамматической базой |

**Общее распределение баллов текущего контроля по видам учебных работ для студентов (в соответствии с Положением)**

|  |  |  |
| --- | --- | --- |
| Рейтинг-контроль 1 | Текущая успеваемость +  Письменное/устное задание/презентация | До 15 баллов |
| Рейтинг-контроль 2 | Текущая успеваемость +  Письменное/устное задание/презентация | До 15 баллов |
| Рейтинг контроль 3 | Текущая успеваемость +  Письменное/устное задание/презентация | До 30 баллов |
| Посещение занятий студентом |  | 5 баллов |
| Дополнительные баллы (бонусы) |  | 5 баллов |
| Выполнение семестрового плана самостоятельной работы |  | 30 баллов |

**3. ОЦЕНОЧНЫК МАТЕРИАЛЫ ДЛЯ ПРОВЕДЕНИЯ ПРОМЕЖУТОЧНОЙ АТТЕСТАЦИИ ПО ДИСЦИПЛИНЕ**

**Перечень вопросов к ЗАЧЕТУ**

**Зачет (3 семестр)** включает:

1. Письменный перевод текста с английского на русский язык.

2. Чтение текста профессиональной направленности, с извлечением определённой информации.

**Зачет (4 семестр)** включает:

1. Письменный перевод текста профессиональной направленности с английского на русский язык, объёмом 1200 п.зн.

2. Краткое изложение на английском языке текста профессиональной направленности (объёмом 800-1000 печатных знаков).

**3 семестр (зачет)**

***Задание 1.***

***а) Письменный перевод текста с английского на русский язык***

**Starting the Case (Pretrial)**

A case usually begins when a plaintiff files a pleading with a trial court. For the sake of simplicity, this article focuses civil cases, however, most of these concepts also apply to criminal cases. A pleading, although different in form from jurisdiction to jurisdiction, will contain the basic claims or charges that the plaintiff brings against the defendant. For example, if Bob accuses Jeff of hitting him, Bob’s pleading will say that he claims that Jeff assaulted or battered him.

Once a pleading has been filed, the defendant has an opportunity to respond to the pleading. This is simply called a "response." In the response, a defendant will usually give reasons why the claims of the plaintiff are not correct. In criminal case, depending on the jurisdiction, either the district attorney or a grand jury (a special kind of "investigative" jury) decides to press charges against a person. However, even if the process starts with a grand jury, a district attorney must still file the charges.

At this point in the case, the process of "discovery" usually occurs. During discover, both sides will research facts that they intend to bring to trial to prove that they are right and the other side is wrong. Both sides can make "discovery requests" of the opposing side for information. These are usually called "interrogatories." The rules for discovery are different in every jurisdiction (and can be pretty complicated), but generally, a reasonable request for information must be granted. A skilled attorney can write a discovery request just broad enough to get all of the information she wants without getting overloaded with useless information (although most attorneys tend to err on the side of being overbroad).

***Задание 2. Чтение текста профессиональной направленности, с извлечением определённой информации. Время на подготовку 20 минут.***

**After the Trial: Motions and Appeals**

Either party may then submit a motion for "judgment notwithstanding the verdict" (sometimes call JNOV for short) if it is unhappy with the decision. This motion asks the judge to put aside the verdict and make his own judgment about the case. Typically, this only works when one side wishes to decrease the amount of money the jury thinks it should pay. Similarly, in a criminal case, defendants can submit such a motion if they feel that there was some egregious error in the trial.

Once the judge has issued a judgment, the parties may then appeal to the next higher court, usually called an Appellate Court (see above). They do this by submitting a petition for appeal to the court. This petition generally contains the reasons why the party thinks the judgment is wrong. An Appellate Court is not required to grant a petition to appeal. If the court grants the petition, the appealing party, called the "appellant," and the opposing party, called the "appellee," submit briefs explaining their reasons for changing or not changing the judgment below. They are limited to making arguments about issues that were raised at trial, and may not bring up any outside arguments or information. Both parties are allowed to also submit responses to the other parties brief. This can get complicated when both parties appeal. You can get terms such as "cross-appellant," etc. The parties then are given a chance to argue their case before the three judge panel.

If the appellate court chooses to remand the case, the trial court will then issue a new judgment based on the opinion of the appellate court. Occasionally, there is another hearing or even a brand new trial, depending on what the appellate court decides. If one or both of the parties disagree with the decision of the Appellate Court, they may petition the Supreme Court in much the same way as they petitioned the Appellate Court. The Supreme Court is not required to grant a petition. If granted, the parties may again submit briefs about their positions as well as responses to the opposing briefs. They are then permitted a chance to argue their case before the panel of justices. The Supreme Court’s decision is usually final

**Критерии оценивания**

|  |  |
| --- | --- |
| Зачтено | если обучающийся за каждое задание, которое входит в аттестацию, получил не менее 20 баллов, что соответствует пороговому уровню сформированности компетенций. |
| Не зачтено | если обучающийся, хотя бы по одному из заданий в рамках аттестации, получил менее 20 баллов, что свидетельствует о несформированности компетенций. |

**4 семестр (зачет)**

***Задание 1. Письменный перевод текста профессиональной направленности с иностранного языка на русский язык, объёмом 1200 п.зн.***

**About U.S. Federal Courts**

Our Founding Fathers understood the need for an independent Judiciary, which was created under Article III of the United States Constitution. The Judicial Branch is one of one of the three separate and distinct branches of the federal government. The other two are the legislative and executive branches. For more information on the courts system, visit the U.S. Courts website.

The Federal Court system is separated into five main areas: 1.The United States Supreme Court consists of the Chief Justice of the United States and eight associate justices. At its discretion, and within certain guidelines established by Congress, the Supreme Court each year hears a limited number of the cases it is asked to decide. Those cases may begin in the federal or state courts, and they usually involve important questions about the Constitution or federal law. For more information about the Supreme Court, visit the Supreme Court’s official website. 2.

The 94 U.S. judicial districts are organized into 12 regional circuits, each of which has a United States court of appeals. A court of appeals hears appeals from the district courts located within its circuit, as well as appeals from decisions of federal administrative agencies. In addition, the Court of Appeals for the Federal Circuit has nationwide jurisdiction to hear appeals in specialized cases, such as those involving patent laws and cases decided by the Court of International Trade and the Court of Federal Claims.

The United States district courts are the trial courts of the federal court system. Within limits set by Congress and the Constitution, the district courts have jurisdiction to hear nearly all categories of federal cases, including both civil and criminal matters. Every day hundreds of people across the nation are selected for jury duty and help decide some of these cases. There are 94 federal judicial districts, including at least one district in each state, the District of Columbia and Puerto Rico. Three territories of the United States–the Virgin Islands, Guam, and the Northern 105 Mariana Islands–have district courts that hear federal cases, including bankruptcy cases.

**Критерии оценивания**

|  |  |
| --- | --- |
| «отлично» | Эквивалентный перевод:  содержательная идентичность текста перевода  Использование эквивалентов для перевода 100%-90% текста  Эквивалентный перевод с использованием основных грамматических конструкций, характерных для текстов по специальности  Соблюдение языковых норм и правил языка перевода текста по специальности |
| «хорошо» | Погрешности перевода не нарушают общего смысла оригинала  Использование лексических эквивалентов для перевода 70-80% текста  Погрешности в переводе основных грамматических конструкций, характерных для текстов по специальности  Соблюдение языковых норм и правил языка перевода для 70%-80 % текста |
| «удовлетворительно» | Неточность передачи смысла:  ошибки приводят к неточной передаче смысла оригинала, но не искажают его полностью  Использование лексических эквивалентов для перевода 40- 60% текста  Использование грамматических эквивалентов для 40-60% текста  Соблюдение языковых норм и правил языка перевода для 40-60% текста |
| «неудовлетворительно» | Неэквивалентная передача смысла:  ошибки представляют собой искажение содержания оригинала  Использование лексических эквивалентов для перевода 30% и менее % текста  Использование грамматических эквивалентов для 30% и менее % текста  Соблюдение языковых норм и правил языка перевода менее чем для 30% текста |

***Задание 2. Краткое изложение на иностранном языке текста профессиональной направленности (объёмом 800-1000 печатных знаков)***

**Federal Jurisdiction**

Article III of the Constitution expressly provides that federal judicial power extends to nine enumerated ‘cases’ and ‘controversies’, the first four of which (‘cases’) confer jurisdiction depending on the cause, while the remaining five (‘controversies’) confer jurisdiction depending on the parties. The ‘cases’ identified in Article III are those in law and equity ‘arising under the Constitution, the laws of the United States, and treaties thereof’, those ‘affecting ambassadors, other public ministers, and consuls’ and those involving ‘admiralty and maritime jurisdiction’. ‘Controversies’ include those matters ‘to which the United States shall be a party’, those ‘between two or more states’, those ‘between a state and citizens of another state’, those ‘between citizens of different states’, those ‘between citizens of the same state claiming lands under grants of different states’, and those ‘between a state or the citizens thereof, and foreign states citizens or subjects’.

The requirement of a case or controversy prohibits advisory opinions and ‘limits the business of federal courts to questions presented in an adversary context’. The most important element of adverseness of the parties is that they have standing which has been explained by the Supreme Court as a party having ‘alleged such a personal stake in the outcome of the controversy as to assure that concrete adverseness which sharpens the presentation of issues upon which the court so largely depends for illumination of difficult constitutional questions’.

**Критерии оценивания**

|  |  |
| --- | --- |
| «отлично» | Обучающийся полностью понял содержание текста, передал его основное содержание и выполнил все задания к текстам. |
| «хорошо» | Обучающийся понял содержание текста за исключением деталей, при передаче основного содержания допускает 2-4 ошибки в пределах изученного материала, и сам может их исправить, выполнив 2/3 заданий к тексту. |
| «удовлетворительно» | Темп речи невысокий, с заметными паузами. Использует простые речевые модели. Допускает большое количество ошибок, иногда препятствующих пониманию прочитанного. Обучающийся понял только основное содержание текста и выполнил 1/3 задания к тексту. |
| «неудовлетворительно» | Большое количество грубых ошибок, часто препятствующих пониманию смысла прочитанного. Не владеет правилами чтения, допускает большое количество грубых ошибок, препятствующих пониманию прочитанного. Не смог кратко изложить содержание текста. |

**4. ИТОГОВЫЕ ТЕСТОВЫЕ ЗАДАНИЯ ПО ДИСЦИПЛИНЕ**

|  |  |  |  |
| --- | --- | --- | --- |
| № п/п | Контролируемые разделы (темы) | Тестовые задания | Код контроли-руемой компетен-ции (или её части) |
| **3 семестр** | | | |
| 1 | Профессия юрист.  Формы причастия и их использование в специальной литературе. | 1. She frowned … the assault.  А. remember;  B. remembered;  C. remembering.  2. … so little in the country, I am afraid I cannot answer all your questions/  A. having seen;  B. seeing;  C. to see.  3. I felt very tired … the whole day in the court.  A. having worked  B. being worked;  C.work.  4.He speaks like a judge … his opinion of everything.  A. being taken;  B. having been taking;  C. taking.  5. … that she could trust them she didn’t know what to do.  A. knowing not;  B. didn’t know;  C. not knowing.  6. She left … us the evidence of the committed crime.  A. presenting;  B. having presented;  C. presented.  7. And … this he left the court room.  A.saying;  B. being said;  C. said. | УК-4 |
| 2 | Судебная система. Прокурорская деятельность.  Формы причастия и их использование в специальной литературе. | 8. By this time … to the atmosphere of a court procedure he no longer felt tired  A. getting used;  B. having got used;  C. got used.  9. The lawyer felt refreshed and rested … for eight hours.  A. having slept  B. sleeping  C. slept  10. The boy came in the court room … from top to toe.  A.shaking;  B.having shaking;  C.was shaking.  11. … the work the prosecutor left the office.  A.finishing;  B.having been finished;  C.having finished.  12. The problem … earlier didn’t seem difficult to solve.  A.discussed;  B. being discussed;  C. having been discussed.  13.How many forms does the Participle have? | УК-4 |
| 3 | Исправительная система.  Формы инфинитива, инфинитивные конструкции и их использование в специальной литературе. | 14. How many active forms does the Infinitive have?  15. How many passive forms does the Infinitive have?  16.Define the form of the infinitive “to have done”  17. Define the form of the infinitive “to have been doing”  18. Define the infinitive construction in the sentence “She wanted him to find guilty.”  19. Define the infinitive construction in the sentence “She is said to be innocent.” | УК-4 |
| 4 | Юридическое сопровождение бизнеса.  Формы инфинитива, инфинитивные конструкции и их использование в специальной литературе. | 20. Must the particle “to” be used in this sentence:  Jane helped him … prepare the suit for the court.  21 Must the particle “to” be used in this sentence:  The prosecutor made him … confess of having committed the crime.  22. Must the particle “to” be used” in this sentence:  The lawyer saw their car … have stopped near the building of the magistrate’s court/  23.Must the particle “to” be used in this sentence:  He insisted the defendant … be found guilty.  24. Must the particle “to” be used in this sentence:  The lawyer wanted the accused … be examined again.  25 Must the particle “to” be used in this sentence:  The judge noticed the lawyer … hesitate. | УК-4 |
|  |  | **4 семестр** |  |
| 5 | Договорное право.  Причастные конструкции | 1.Define the Participle Construction in the sentence:  Do you know that judge standing in the entrance?  2. Define the Participle Construction in the sentence:  The prosecutor heard them talking loudly.  3. Define the Participle Construction in the sentence:  Her voice trembling, she began to give evidence.  4. Define the Participle Construction in the sentence:  She stood very erect, her body absolutely stiff with fury.  5. Define the Participle Construction in the sentence:  He was found discussing the problem with the lawyer.  6. Define the Participle Construction in the sentence:  The criminal was seen running away.  7. Define the Participle Construction in the sentence:  The victim was discovered crouched under the table.  8.Define the Participle Construction in the sentence:  They found a criminal lying in the ditch.  9.Define the Participle Construction in the sentence:  The prosecutor insisted the witnesses leaving the court room.  10.Define the Participle Construction in the sentence:  The lawyer realized the accused giving wrong evidence.  11. Define the Participle Construction in the sentence:  The evidence being false, they decided to postpone the trial.  12. Define the Participle Construction in the sentence:  The policemen examined the witnesses of the accident, the victims being sent to the hospital. | УК-4 |
| 6 | Трудовое право. Использование герундия в специальной юридической литературе. | 13. Have you finished … the speech for the court trial?:  A. prepare;  B. preparing;  C. being prepared.  14. … the witnesses of a felony or misdemeanor is a very important procedure:  A.examining;  B.examined  C.having ex;amined.  15. The jury began … and all who were present in a court room were silent while waiting the decision:  A. having been voted;  B. voted;  C. voting.  16.There are two ways of … the necessary evidence:  A. havng got  B. getting  C. got  17. The judge was in the habit of … the prosecutor’s opinion:  A.being asked;  B.asking;  C.asked.  18.The lawyer talked without …  A. stop;  B.stopped;  C.stopping.  19.The judge was fond of … detective stories:  A.reading;  B.read;  C.having read. | УК-4 |
| 7 | Система публичного и частного права.  Использование герундия в специальной юридической литературе. | 20. They accused him of … the house:  A.robbing;  B.being robbed;  C.having robbed.  21. The criminal persisted in … to escape the trial:  A.try;  B.trying;  C.being tried.  22.He gave up the idea of ever … the real reason of that crime:  A. finding;  B.found;  C.having been found.  23.The investigator succeeded in … that crime:  A. solving;  B. having solved;  C.having been solved.  24.Jane thought of … the scene of the crime:  A. having left;  B.left;  C.leaving.  25.The lack of evidence prevented them from … to the court:  A. went;  B.going;  C. being gone. | УК-4 |

**КЛЮЧИ К ТЕСТУ**

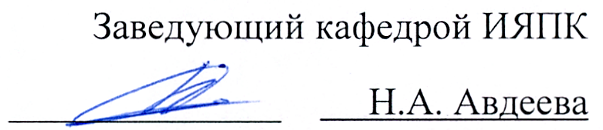
|  |  |
| --- | --- |
| **№ вопроса** | **Ответ** |
| 3семестр | |
| 1 | C |
| 2 | B |
| 3 | A |
| 4 | C |
| 5 | C |
| 6 | B |
| 7 | A |
| 8 | B |
| 9 | A |
| 10 | A |
| 11 | C |
| 12 | C |
| 13 | five |
| 14 | four |
| 15 | two |
| 16 | Perfect Active |
| 17 | Perfect Continuous Active |
| 18 | Complex Object |
| 19 | Complex Subject |
| 20 | No, it mustn’t |
| 21 | No, it mustn’t |
| 22 | No, it mustn’t |
| 23 | Yes, it must |
| 24 | Yes, it must |
| 25 | No, it mustn’t |
|  | 2 семестр |
| 1 | The Objective Participial Construction |
| 2 | The Objective Participial Construction |
| 3 | The Absolute Participle Construction |
| 4 | The Absolute Participle Construction |
| 5 | The Subjective Participle Construction |
| 6 | The Subjective Participle Construction |
| 7 | The Subjective Participle Construction |
| 8 | The Objective Participial Construction |
| 9 | The Objective Participial Construction |
| 10 | The Objective Participial Construction |
| 11 | The Absolute Participle Construction |
| 12 | The Absolute Participle Construction |
| 13 | B |
| 14 | A |
| 15 | C |
| 16 | B |
| 17 | B |
| 18 | C |
| 19 | A |
| 20 | C |
| 21 | B |
| 22 | A |
| 23 | A |
| 24 | C |
| 25 | B |

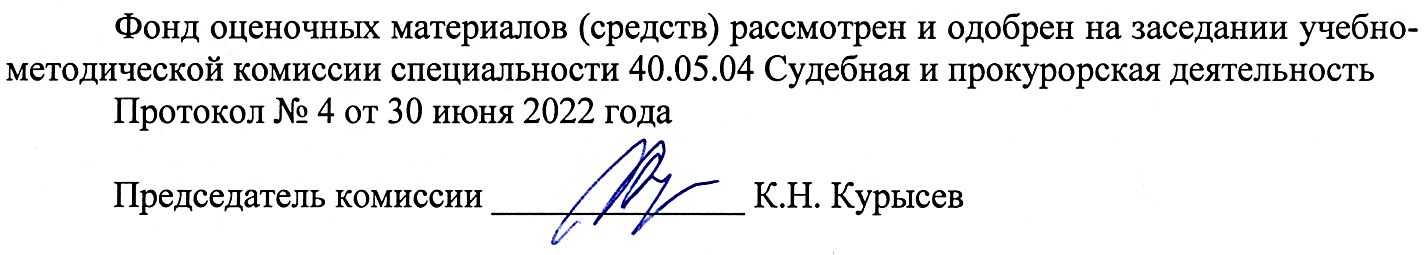
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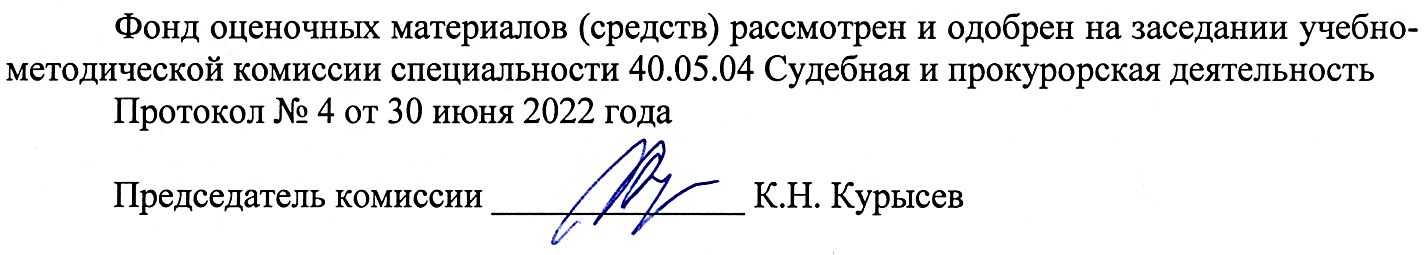
Доцент кафедры ИЯПК\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_С.Н. Скрипченко

Фонд оценочных материалов (средств) рассмотрен и одобрен на заседании кафедры ИЯПК.

Протокол № \_10\_\_ от \_17 июня\_2022 г.





Фонд оценочных материалов (средств) рассмотрен и одобрен на заседании учебно-методической комиссии направления подготовки 40.05.04 Судебная и прокурорская деятельность

Протокол № \_4\_ от \_30 июня 2022 г.

Председатель комиссии\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ К.Н. Курысев