

CREDITI

Formazione Continua
degli Avvocati:
12 crediti formativi.

TERMINE ISCRIZIONI

Venerdì 23 ottobre 2009

NUMERO CORSISTI

Corso a numero chiuso:
minimo 15 iscritti.

COSTO

€ 500 + i.v.a. per l'intero corso

Le modalità di pagamento saranno
comunicare in seguito.

DATE E ORARI

5 novembre	15.30-19.30
6 novembre	15.30-19.30
7 novembre	9.00-13.00
3 dicembre	15.30-19.30
4 dicembre	15.30-19.30
5 dicembre	9.00-13.00

IL CORSO SI TERRA' PRESSO

Istituto Salesiano San Zeno
Via Don Giovanni Minzoni, 50,
37138 Verona

Per informazioni contattare:

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Modulo 1 - PRIMO INCONTRO

Background to the English Legal System

The British Constitution, the Rule of Law, Separation of Powers
Sources of law, Equity, precedent and judicial interpretation
The court structure and its hierarchy
The judiciary and the legal profession in England
Acts of Parliament & Statutory Instruments
Domicile
Reported Cases (law reports)

Civil Procedure

Claim forms
Issue and service of proceedings, limitation periods
Disclosure (formerly "discovery")
Trials, hearings, juries and interlocutory matters
Judgments, orders and sentences
Orders for costs
Witnesses, Evidence, Affidavits, Perjury
Contempt of court

Language Workshop

Modulo 2 - SECONDO INCONTRO

English Law of Contract

FORMATION

Capacity and other pre-conditions
Offer, acceptance, counter-offers: time for acceptance: good faith
The doctrine of Consideration as an essential element in the formation of a "simple" contract
Compare contracts "by deed"
Privity of contract and third party rights
Representations, misrepresentations, conditions and warranties
Guarantees, warranties and indemnities
Negotiations "subject to contract"
Heads of Agreement, Comfort Letters, Letters of Intent
At what point is a binding agreement reached?
Agency, Powers of Attorney, Proxies: meanings, differences, uses

REMEDIES FOR BREACH OF CONTRACT

Under Common Law: damages
Equitable (discretionary) remedies for breach eg Specific Performance
Proving the claim: evidence of loss: duty to mitigate
Liquidated damages clause and "penalties": test of enforceability
Availability of Claims for "Quantum Meruit"
Frustration of contract: force majeure
Evidential effect of dispute / settlement correspondence "without prejudice"

Language Workshop

Modulo 3- TERZO INCONTRO

Contract drafting

Examination of a commercial contract
Specific standard clauses:
Entire agreement
Non-waiver
Invalidity and severance
Exclusion clauses
Assignment

Indemnity

Law & Jurisdiction

Contract language and exercises
Drafting hints. Things to avoid
Is time of the essence?
"Undertakes", "shall", "...reasonable endeavours..." Which to choose (or accept!)
Drafting exercise in groups

Language Workshop

Modulo 4 QUINTO INCONTRO

Principles of Civil Liability

Bases of liability in Contract and Tort
Definition of Negligence and Breach of Statutory Duty
Other torts: defamation, nuisance, trespass
Joint and several liability
Vicarious liability and relevant criteria
Contributory negligence
Types of evidence and proof
The burden of proof and the standard of proof
The purpose of damages: general damages and special damages
Remoteness of damage
Equitable remedies
Consequential loss, causation and foreseeability
Reported cases (law reports)

Language Workshop

Modulo 5 QUINTO INCONTRO

Company Law

Vocabulary and Terminology of Company Law
Company Formation: same-day incorporation
Types of companies and unincorporated associations
Duties of directors and management
Insolvency/Bankruptcy
Liquidation and winding up
Personal and real property

Business and Banking

Business and Banking terminology exercises
Some differences in English and American company and banking terminology

Language Workshop

Modulo 6 SESTO INCONTRO

Legal Language Exercises as a preparation for commercial / legal role-play scenarios

A commercial contract negotiation:

The class will divide into two groups (or three, according to the size of the class),
each representing one of the two (or three) negotiating parties
Feedback dealing with errors in terminology and language

Mediation role-play: this involves four characters in a

mediation hearing:

all members of the group in rotation will play the characters and will each play more than one

Feedback

Language Workshop

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Jacqueline Palmer

Tutor Didattico

