




ESAP course “Legal Instruments and negotiations”

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10+ key skills lawyers should have.

Both the Russian and overseas HR market



- Increasingly, law firms and chambers recruit applicants who have a portfolio of specific skills to equip them to succeed in legal practice. When talking to the graduate recruitment managers of leading law firms about what they look for in desirable candidates, there are qualities that come up time and time again. Law firms spend a phenomenal amount of time and money in searching for the most talented students; developing their trainees to become talented lawyers and future partners of the firm.
- Law firms / chambers do not expect you to be the finished article, but are looking for "projected ability" and real potential.

10+ key skills lawyers should have.

Both the Russian and overseas HR market

- **Teamwork:** One of the most important skills you'll need to be a successful solicitor is the ability to be a useful member of a team. When applying, ensure that you highlight examples that show you're a good team player and leader during university and your past work experiences. At law firms you will need to be a good team player because teamwork is a very important to get-on in your legal career.

Teamwork consists of working with others to form a consensus and reach the best possible outcome for all parties, whether in transactions, mediations or arbitrations. Negotiations are based around working with teams which often not only includes working with your colleagues in your department, but those from other groups to form multi-disciplinary teams, which also has input by the client and other professionals. The ability to work collaboratively and effectively with others is of fundamental importance to working successfully at a law firm.

* What skills are required to become a lawyer? <http://www.ultimatelawguide.com/careers/articles/what-skills-are-required-to-become-a-lawyer.html>

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- **Interpersonal skills** - any lawyer must be able to communicate effectively with their client. Your ability to relate and interact with others in such a way as to engender confidence, form lasting relationships, and clearly explain complex situations in a clear manner is integral to the role of a solicitor. In addition, having good "people skills" will help you to interact with a wide variety of characters at your firm and fit into the culture of the firm.

At times, you will need to tap into the know-how of different people in order to get on. For example, the librarians and secretaries play such a pivotal role in the daily function of a law firm. If you build up a good rapport with your secretary, your work may be placed on the top of the pile and your work turnaround quickly, which will impress your supervisor.

The most successful lawyers tend to be personable and able to work effectively with people by cultivating, building, developing and maintaining relationships with clients and colleagues alike. As you progress through your career, your firm will expect you to build up a list of contacts and eventually win new business. Marketing opportunities are very important and you need to be able to show clients that as well as being a solid legal technician, you are also "good value" in a social context.

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10+ key skills lawyers should have. Both the Russian and overseas HR market

- **Communication** - Being able to communicate clearly and effectively on paper or face-to-face or over the telephone underpins the role of a solicitor. This is because the role of a solicitor largely involves being able to advise and negotiate effectively with their client and the other side to ensure a deal runs smoothly. The use of clear and succinct language will be valued by both your clients and colleagues. Client care is fundamental and possessing excellent communication skills will help you to communicate ideas and advice to your clients.

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- **Commercial acumen** - Based on talking to recruiters up and down the country this is the single most desirable attribute employers look for in a future trainee, and is becoming more and more important for modern day legal practice. Trainee solicitors are expected to emerge not only as good lawyers, but as sound business advisors as well. Commercial awareness, simply put, is developing an understanding of the business environment in which law firms and their clients operate. Aspiring lawyers must be able to appreciate the role of a commercial lawyer and the commercial context in which they provide the legal advice.

The best way to demonstrate that you have what it takes to cut it as a commercial lawyer is to demonstrate your ability to think commercially, and from a client's perspective as early as possible. As a commercial lawyer you need to understand your clients' businesses in order to give them the best legal advice. Recruiters will look for candidates who have a keen understanding of the business world.

A commercial client will not care about the technical meaning of legal terminology, but she will be deeply interested in the impact that it may have on the transaction at hand. For City firms especially, legal advice always takes on a business element and every student needs to be commercially aware, so that you will be able to contextualise legal advice to the client. For more information - go to Demystifying commercial awareness.

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- **Attention to detail** - When lawyers draft contracts, a single word in the wrong place can change the emphasis of a clause and possibly the outcome for your client. A lawyer is expected to have a thorough, accurate and meticulous approach to their work. Committing any glaring grammatical or punctuation mistakes on your application form is the easiest way to fast track your application to the rejection pile.
- **Honesty and integrity** - Clients expect lawyers to work to a high moral standard, total professional integrity and ethical code, because they will only instruct solicitors they trust. Solicitors' professional conduct rules are strict guidelines ensuring lawyers always act in their clients' best interests; client confidentiality and professionalism are paramount to safeguarding the reputation and standards of the legal profession.

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- **Pro-activity** - firms like applicants who display initiative and a get up and go. They are also impressed by candidates who value their skills and strengths. This can be demonstrated by the way in which you apply to the firm. For example, aspiring lawyers rarely seem to ask law firms for unpaid work experience; shadowing a solicitor is a really good way of gaining an insight into legal practice, and follows the proviso that, once you impress the solicitor and other professionals at the firm - they will offer you a job.
- **Ambition** - many aspiring lawyers are extremely ambitious, determined and driven. In such a competitive business, you should have a clear and realistic plan of where you imagine your career heading in the next five to ten years, and whether it is your aspiration to become a partner at a law firm, or a senior counsel in-house at a global blue-chip company.

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- **Enthusiasm and Energy** - demonstrate a real interest for the firm you are applying to, and the type of work they do. Your passion will enable you to talk about the firm and the reasons for your application in a vibrant way. You will naturally come across as highly-motivated applicant that will fit in and do well at the firm.
- **Individuality** - Always be yourself and do not try to be someone that you think firms are looking for. Firms don't want order-following clones on the career treadmill! They want to see a variety of individual personalities with sparky characters. At interviews, always give answers that are personal and unique to you, rather than the answer you think interviewers want to hear.

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THE + key skill lawyers should have.

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- ▶ **Sense of humour** - Allow your personality to shine through at interview. Firms want individuals who are not afraid to be themselves, express their opinions and who know what they want out of their legal career. Throughout your legal career you will have to socialise constantly and your ability to talk to people is important to your employability prospects. During the course of your training contract, you may end up working into the early hours of the morning on a large transaction. Any associate will appreciate working with someone whose personality helps to keep spirits high and boost the morale of the team.

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THE 10 + key skill lawyers should have. Both the Russian and overseas HR market

- **THESE ARE THE SKILLS WE ARE DEVELOPING DURING THE COURSE,**
 - **THESE ARE THE SKILLS OUR ACTIVITIES ARE BASED ON,**
 - **THESE ARE THE SKILLS TO COMPREHEND, DEVELOP and MAINTAIN THROUGHOUT ALL YOUR LIFE.**
- 

The course parameters

- 56 academic hours (can be extended),
- 28 coupled lessons (can be extended)
- 7 modules (can be extended)
- The structure of a module:
 - a) *Introduction. Theory. Vocabulary*
 - b) *Legal Instruments. Vocabulary practice. Discussions. Translation (Russian-English, English-Russian). Preparing for negotiations (procedures, cases)*
 - c) *Soft Skills. Negotiations. Memorandum upon the meeting*
 - d) *Module feedback. Skills and materials. Skills revision and additional practice*
- **Exam**
- *Consultations if necessary*

Exam

➤ Legal Documents (individual)

- **Oral task. Part 1.** *Translate the contract from English into Russian. (the contract is given)*

or

- **Oral task. Part 2.** *Explain the terms and clauses of an agreement (the excerpts are given)*

Additional tasks: questions from a manager who does not understand some terms or clauses.

➤ Oral task 3. Negotiations (pair work)

- **A case:** *conduct the first interview with a potential client / resolve a conflict / consult your client on a specific issue / conduct a moderation meeting / etc. (the cards with the cases are given)*

The list of topics to choose from

At the first lesson of the course students can choose what spheres of law to study

- **Administrative Law**
- **Banking and Securities Law**
- **Contract Law**
- **Commercial and Business Law**
- **Company and Corporate Law**
- **Competition Law**
- **Employment and Labor**
- **Environmental Law**
- **Inheritance Law**
- **Intellectual Property Law**
- **International Law**
- **Litigation and Arbitration**
- **Maritime and Transport Law**
- **Real Estate Law**

The topics of this year (2016)

- **Contract Law**
- **Company and Corporate Law**
- **Commercial and Business Law**
- **Employment and Labor**
- **Real Estate Law**
- **Litigation and Arbitration**
- **International Law**

Course Objectives

For who

- ▶ For those who see themselves work in an international company in Russia or abroad,
- ▶ For those who wish to specify the career objectives,
- ▶ For the ones who wish to learn and develop soft skills which modern lawyers should have.



For what purpose

- ▶ To learn how to develop the 10 key skills, to immerse into reality of future professional routine,
- ▶ To learn how to deal with legal instruments, how to employ theory in practice,
- ▶ To practice how to prepare to different kinds of negotiations and meetings, conduct them and participate in them, arrange the feedback upon them,
- ▶ To practice how to listen actively, ask questions effectively, collect information efficiently according to the set objectives.

What we do

- Listen to cases, negotiations, talks, telephone talks, presentations, parts of lectures on the topics chosen,
- Watch videos on the topics chosen,
- Discuss the issues on the topics chosen,
- Work with vocabulary of the topics chosen,
- Consider cases within the topics chosen,
- Read the necessary documents (contracts, reviews, reports, procedures of all kinds of meetings, articles (academic ones) of the topics chosen,
- Draft the documents necessary for meetings and negotiations,
- Prepare for negotiations, revise the documents, videos, audio-files, other materials of the topics chosen,
- Learn communication skills (setting up the objectives, asking and answering questions, exploring the problematic issues, collecting the feedback, selecting the resources to reach objectives, reporting),
- Conducting meetings (discussions, interviews, reporting to the higher level of management, tutorials, etc.),
- Writing memorandums upon the meetings.

How we do it

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- 
- With the highest level of pleasure and enthusiasm,
 - With the widest range of skills being developed,
 - With the deepest understanding that we can reach all the goals we have set up,
 - With the strongest belief that we have all the resources we need,
 - With the vision that there is no such thing as failure, there is only feedback,
 - With keeping in mind the statement “The meaning of communication is the response you get”,
 - With positive attitude to our mistakes as a resource of further development.



Feedback from students 2016

The feedback on the “ESAP. Working with Documents” course

The “Legal Documents” course gave me much information which is valuable in the legal sphere, gave me a chance to participate in various discussions and definitely helped me to improve my language skills. The lessons allowed us to cover various issues in many interesting spheres of law.

First of all, the course introduced me to the legal terminology sphere and, consequently, enriched my vocabulary and helped me to understand the peculiarities of translating various legal terms from English to Russian. Learning new words was put into practice during written and oral translating and when reading some contracts. By the way, studying the contract law was a valuable experience not only due to acquainting with the language of treaties and agreements, but also due to the content analysis, which we discussed at some lessons.

I do appreciate the fact that we were taught some peculiarities of business correspondence and practiced it in writing the memorandums of our role-played meetings with clients. It is important to mention that the role play was a good experience for me in terms of developing my communication skills: I learned much about the common structure of a meeting, some tips for attorneys and mediators, some techniques of reaching a successful result out of a meeting. Getting acquainted to these, I learned how to imply it in negotiation and mediation processes.

We dealt with real cases and conflicts, tried to resolve difficult situations and find the solutions to some problems. This helped me to develop the skills of finding many alternative solutions, to distinguish the parties' intentions, to use different ways of asking questions and gathering information. To my mind, all these things taught me to conduct successful negotiation.

I consider the course to have been very productive and informative, though it was quite challenging for me.

Angelina Khomayko

Date: 1.06.2016

Signature: 

ESAP. Legal English. Working with documents.

Course “ Legal English. Legal Instruments & negotiations”.

Feedback

Language learning is not only learning but professional competence, passion, enthusiasm and strategy.

Starting from strategy I would like to say, that the course was based on detailed plan of each lesson. Moreover the course was flexible, what means that students had a possibility to discuss the schedule likewise a content of the course (most preferable areas of law).

As for professional competence, Natalia Anatolievna is highly qualified what is obvious judging from way of the organization of lessons. There was no minute to be inattentive, constant concentration was required. In the course there was plenty of practical work what I consider the most essential in the courses like that - speaking (negotiations), writing (formal letters) and what's more – practice in translation of legal documents, comparison of the legislation of different legal systems (e.g. Russia and USA/UK) and the most breathtaking part was NLP (Neuro-linguistic programming) .

Personally, I need to be involved and “charmed” to become willing to work on something, and there no doubt that the teacher's personality is important. I can say that Natalia Anatolievna changed my slightly pessimistic way of thinking, and granted with the power to overcome problems, of course along with making my professional skills developed. If I had a chance I would choose this course one more time.

Thank you and

Best regards,

Djamilia

ESAP. Legal English. Working with Documents

Feedback on the course

My name is Tutaev Ilia and I am a student of Law School of HSE. I have studied advanced English for 2 years in the university. When I entered the third course I had been told that there would be no English lessons at all. Realizing that this subject was essential and improved knowledge of English would allow me to defend a thesis on fourth course, I decided to enter the Legal English course. Here is my review on it.

Summing up everything on the course, I can say that totally I feel satisfied with it.

Firstly, I obtained (or at least, tried to obtain) skills of a good negotiator. Such abilities are important in life as we are supposed to communicate with different people every day. I have not known any specific ways or methods how to behave and deal with counter-party before. Now I hope that following the procedure will help me to conduct negotiations more successfully.

Secondly, I really enjoyed all topics of the course as they were all widespread and useful. Nevertheless, the most favorite topic for me was the real estate law. I find this topic complicated and yet very interesting. I am thinking about working in the real estate law sphere. Due to my affection to real estate law I was so eager to prepare the presentation covering problems of right of ownership on real estate.

Moreover, each topic was accompanied with big amount of unknown legal definitions. The course allowed me to increase my vocabulary and now I feel that my understanding of legal English is much deeper.

Also, it is important to admit that during the course we studied the common law system. The Russian Federation is the country where continental system of law exists. The study was very useful for understanding similarities and differences between two legal systems.

Thirdly, I liked the interactive component of the course. We had many interesting tasks which were similar to problems from legal practice. For example, role-play mediation or comparison of two identical agreements. All stated tasks undoubtedly granted some useful experience.

However, there are also some points in the course that I would like to improve. To my mind, the main problem is the lack of time. Because of it not all interesting topics were covered during the education. For example, we mostly studied civil law and some procedural regulations, but we had not touched public law: constitutional law, administrative law, criminal law et. c. So that is why the course should have more lesson hours.

Talking about negative aspects of the course I cannot state anything as there were no such aspects at all.

To sum up, I feel satisfied with the course because we have trained new professional ways of negotiations, studied many interesting topics and legal definitions and performed interactive tasks during the course. Some moments of the course, according to my opinion, should be improved, however, it is not that crucial as overall I am content.

Name: Tutaev Ilia

Date: 28.05.16

Signature: 

Feedback

I am a student of the 1st course of the law faculty. In the beginning of the last December I decided to challenge myself in the course entitled "Legal English. Working with documents", the lecturer Gataullina N.A.

To start with some technical aspects, neither registration, nor making an agreement was problematic. Timetable was quite flexible that was, undeniably, a great advantage. There were only 7 students apart from me, hence, the teacher had enough time to work with each of us, paying attention to our individual difficulties.

Furthermore, I ought to write about a substantial side of the course. We covered lots of useful topics, such as legal services agreements, tenancy agreements, WOFE, double taxation (taking Mexico-Russian agreement as an example), real estate, easement and some others. Also, I am happy to point out that I have trained my skills as a negotiator and a consultant on legal issues, and even learnt something more about NLP I have been always interested in.

The last but not least, as I have already mentioned above, I have relatively recently entered the University and, of course, my knowledge on civil and tax law was less deep than knowledge of the others in this group. However, it did not prevent me from learning and communicating with students and I felt just on a par with them. So, it is not frightening or sophisticated to catch up with others if they and a teacher are always there for you.

All in all, this course is fabulous conjunction of fun, learning process and practice, which would definitely broaden your horizons and help you to understand how to go in a lawyer's shoes.

Ksenia Arestova

28 May, 2016.



FEDDBACK

This course «English for lawyers» was extremely useful. It was a great experience of working with colleagues on essential for our future professional career legal topics.

Some results:

First of all, attending classes we acquired skill of how to negotiate. We've got some achievements by advices of our lecturer, watching special videos and practice. It is one of the most important thing for lawyers because an art of conversation will help us how to be sure, calm and polite with clients.

Secondly, we've worked a lot with bilateral agreements. Now we have clear understanding of the structure, definitions and particular features of contract law on practice.

Thirdly, during this course we've worked on different legal spheres such as contract law, corporate law, estate law and also tax law. I would say that selected themes was brilliant because in our University in the study of jurisprudence we give priority to civil law. So, such a choice was absolutely great.

Last but not least, valuable point of «English for lawyers» was extension of our vocabulary. We've got huge dictionary of legal terms which is so essential for us.

I also would like to admit that our lecturer gave us huge amount of helpful materials like e-books, videos, charts and tables and others. I'm absolutely sure that we will use this supplies in our educational process.

Thanks to Natalya Anatolyevna and all my colleagues for effective work!

Best regards,
Chesnokova Victoria

Date:

28th May

Signature:



Feedback from the course of legal English

“Working with the documents“

The course of legal English "Working with the documents" is coming to the end and I would like to share with you my impressions about it.

Firstly, we have started with the fact that we tried to choose a number of topics, the content of which will be examined in more details. The topics were selected individually, taking into account the desire of each of us. I would like to mention that, personally I liked that the process of studying was very flexible and we were not limited by the framework of previously selected topics and expanded our horizons.

Later we moved on to study one of the most important aspects of the legal profession – the skills of conducting negotiations. In this regard, we have practiced with each other, staged a variety of situations. This kind of exercise, in my opinion, was very useful. Also important for me was the acquisition of skill in drafting bilingual contracts, memorandums regarding conducted negotiations, reports to our clients.

The next block was the taxation. To be honest, for me it seemed to be the most complex and difficult one. In this regard, there have been some problems in the perception of the material, I'm not familiar with the legal regulation of taxation in Russia, and we looked at it in a comparative perspective with the other countries.

As for the unit of real estate, it was clearer and much more understandable, because it is more common and recurring theme. The last topic was litigation and mediation. It also became very interesting for me. It was a great experience to develop our skills.

I would like to mention that inside the group was quite friendly, but at the same time working atmosphere. Everyone could speak, there were no big difficulties in interpersonal communication.

Pleasant was the fact that the teacher has shown loyalty. She was sympathetic to the fact that we send the assignments later than the specified time, gave a

doable amount of homework.

Lesson structure was built in such a way that we have time to disassemble and theoretical questions of the topic, and also to practice it.

As suggestions I would like to say about the selection of topics for the course. As more themes there are, more interesting and useful lessons will be. I also think, that there will be the right of the teacher to put students into uncomfortable environment for them, namely, if we are talking about negotiations, about the confusion pairs. There are already formed ones, but it would be nice to get people to work with other partners, it would be very helpful to develop their personality and communication skill.

Everything, in my opinion, was at an excellent level.

Thank you very much for the course.

Thank you for listening to us, for giving comments, for useful advice, for making us thinking.

Name: Afoshina Margarita

Date: 28, May, 2016

Signature: Afoshina

ESAP. Legal English. Working with documents.

Course “ Legal English. Legal Instruments & negotiations”.

Feedback

The course of legal English “Working with documents” was really useful and practice-oriented. There sometimes was the parallel between the topics, which we learn on our course in Russian, and the same in English.

It was a pleasure for me to oversee the comparison between theory and practice. The method was used on the course consisted of four stages: theory – training based on it – presentation of the real practice (videos of real lawyers typically) – final training. This chain is a new one in my life practice because it usually was just a half of it and had a finish in the point “judging” so I did my mistakes over and over again. The situation was different now.

I actually liked individual attention of our professor to each student because nevertheless psychological side of education is an extremely important point of it.

I am happy to have such an experience because of well preparing of the course, students interested in it around and the professor who had taught us a lot in the language and life for just several months.

P.S. I (And I suppose all the group) would be pleased to have such an experience again next year.

Thank you, Natalya Anatolyevna for everything! If I (Our group) was/were not a perfect student/ students you were a perfect teacher for us!

Nikitina Anastasiia

Signature

Date

If you have any questions, feel free to ask.



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