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Global challenges and local solutions: A cross-country comparative perspective on teaching legal English

Abstract: The established role of English as a legal *lingua franca* has led to a growing demand for legal English education, presenting a unique set of challenges. Although these challenges are global, they call for local solutions, tailored to the specific needs of students. This article draws on available accounts of teaching legal English at the tertiary level in the UK, the USA, Israel and Poland to offer a cross-country perspective on these challenges and the adopted strategies. The article concludes that legal English students form a highly heterogeneous group with varying needs. This state of affairs affects the organization of legal English courses, the materials used, and the responsibilities of teachers.

Keywords: comparative education, legal English, language teaching, LSP.

English: the legal *lingua franca*

In the era of rapid globalization, the role of English as a *lingua franca* has been widely acknowledged across diverse sectors, notably in science and technology (Björkman, 2013, p. 6; Ammon, 2001, p. V). Parallel to this, English has also gained significance in the specialized and complex world of legal settings, becoming a legal *lingua franca* (Drolshammer and Vogt, 2003, p. 51; Mattila, 2006, pp. 240–252). Its special status is evident in the context of many international organizations, where English may be used for the purposes of negotiating, creating, and adjudicating law. For instance,

in the European Commission, English is the *de facto* drafting language for legislative proposals (Biel and Doczekalska, 2020, p. 185). The influence of English, however, extends beyond institutional settings. It has also become a cornerstone in international commercial transactions and day-to-day legal activities, thereby affecting businesses and individuals alike. Everyday legal transactions—be they property dealings, employment contracts, or personal matters such as divorces and adoptions—often take on international dimensions (Northcott, 2008, p. 35). Consequently, these activities are frequently conducted in English, regardless of the native language of the parties involved. Sometimes even when none of the involved parties are native English speakers, English may still be the language of choice (Triebel, 2009, pp. 147–148), thus serving as a vital linguistic bridge that facilitates mutual understanding.

Although the role of English as a legal *lingua franca* has its undeniable benefits, it also introduces a set of unique challenges that cannot be overlooked. For legal professionals worldwide, a thorough knowledge of legal English is essential, not merely for understanding and drafting legal documents, but also for effective communication in cross-border negotiations and disputes. Since language nuances and legal terminology can differ significantly across jurisdictions (Tiersma 1999: 109), legal communication carries an increased risk of misunderstandings or misinterpretations. One reason for this is that legal professionals may interpret English words through the prism of the legal system they are most familiar with, thus associating it with a set of legal effects that may differ from those found in the legal system represented by another party. If, then, legal communication is to be successful, all the parties concerned may have to acknowledge the challenges that stem from using English and work together towards overcoming them. A crucial first step involves developing sensitivity to the differences between the legal systems represented, a skill that is usually acquired gradually.

Legal education has also responded to the rise of English as a legal *lingua franca*. Increasingly, law schools around the world are introducing courses in English legal language and international law to better prepare their students for the globalized legal landscape. In doing so, they seem to be heeding V. Gessner, A. Hoeland and C. Varga's (1996: xv) sound recommendation that "legal education in a period of rapid globalization, must enable future practitioners to deal with foreign legal systems". In this regard, at least three factors emerge: first, raising awareness of the differences between legal systems; second, imparting legal knowledge about these differences; and third, equipping students with the foreign language skills needed to

communicate about these disparities. The question of how this objective may be best achieved, given the often heavy demands placed upon students by law schools, remains an open one.

It is evident that the global rise of English in law presents unique challenges that require innovative solutions. These challenges, while shared globally, call for solutions that are localized, tailored to the specific needs of students who operate within their unique legal and educational contexts. Universities worldwide may reasonably be expected to strive to meet those needs by adopting approaches to legal English teaching that ready their students for the professional and academic challenges ahead. The diverse range of practices in legal English teaching forms an intriguing research topic. Exploring it may help not only to understand the nature of legal English instruction across different locations, but it may also provide a source of inspiration for legal English educators in other regions.

Keeping this in mind, the aim of this article is to delve into how universities from different countries have locally responded to the global dominance of Legal English by offering tailored legal English courses. We will explore, compare, and analyze the varied strategies and methods employed in teaching Legal English across an array of legal systems and educational contexts. Through this comparison, we aim to provide a richer understanding of the potential challenges and best practices in teaching legal English in a rapidly globalizing world.

The challenge of teaching legal English

The focus of any legal English course primarily revolves around legal English, but this term is not devoid of ambiguity. Its meaning may overlap with that of other terms frequently used in this context, such as *language of law*, *language of the law*, and *English for law*. A. Trosborg's (1997, p. 20) understanding of *legal language* seems particularly fitting as a starting point for this article, as it serves as an overarching term that covers: language of the law, language of the courtroom, language in textbooks, lawyer's communication, and people talking about law. From an educational perspective, *legal English* may also denote the practice of teaching and learning the English language of law. In this sense, the term may be equated with "English language education to enable L2 law professionals to operate in academic and professional contexts requiring the use of English" (Northcott, 2009, p. 166). However, the term itself does not preclude an even broader understanding, whereby legal English encompasses English language education aimed at enabling English speakers—whether English is their L1, L2, L3, etc.—to operate

in law-related academic and professional contexts. Given the potentially confusing ambiguity of the term in its educational sense, alternative designations have also been proposed, notably *English for Legal Purposes*, which can further be subdivided into *English for Academic Legal Purposes* (EALP) and *English for Occupational Legal Purposes* (EOLP). For the purpose of this paper, *legal English* will be used to encompass both meanings discussed above. When referencing other researchers, the term EALP will also be employed as appropriate to respect their terminological choices.

The teaching of legal English is largely shaped by its distinctive characteristics. In terms of semantics, A. Jopek-Bosiacka (2010, p. 87–130) highlights precision, indeterminacy, specialization, complexity, and conservatism as key features of legal discourse. Approaching the topic from a different angle, H. Matilla (2018, p. 122–127) outlines the following attributes that distinguish legal English from ordinary language: frequency of definitions and tautology; information density; abstraction, hypothetical nature, neutrality; frequency of references; organized text structure and formalism; sentence complexity and terminological abstrusity.

While legal English as a whole is complex, its specialized terminology is often especially challenging to master. In P. Dwużnik's (2021, p. 84–85) study, both legal practitioners and legal English teachers identified specialized legal terminology as the primary obstacle in learning legal English. A major reason for this seems to be the system-bound nature of legal English terminology, i.e. the fact that legal terms belong to specific legal systems. Such systems may differ greatly even when the same national language is used to express them, as evidenced by the differences in terminology used in Scots law and English law (Bromwich 2013: 16–17). Consequently, while legal English is a practical and useful concept, one can argue that there exist multiple legal Englishes, each associated with a distinct legal system¹. This boundedness sets legal terminology apart from the terminologies of many other disciplines. For example, in chemistry, terminology is largely standardized and international (Michta, 2018). It would be nonsensical to suggest that a chemical bond is tied to American chemical terminology rather than Scottish chemical terminology, as the underlying concept is supranational in nature and the term may travel well from one language to another due to perfect equivalence. However, as G.-R. de Groot (1996, p. 155) asserts, "An international legal technical language is almost wholly lacking. It only exists to the extent that certain legal areas have become 'internationalized':

¹ For a different understanding of *legal Englishes* see Williams (2008).

this is particularly true for international law and European Community law.” Another reason why legal English terminology presents challenges is its correlation with a system of concepts. When attempting to understand a particular term through a definition, one often encounters new terms that are more fundamental than the term being defined, referred to as its primary terms (as discussed in Michta, 2022). These new concepts carry meanings that are specific to the legal system and can lead to further terms, thus forming an interconnected terminological network where nodes depend on one another. As a result, the process of unraveling the meaning of a single term may necessitate an extensive exploration of an entire set of related terms.

The unique nature of legal English creates specific challenges for both teachers and students. For teachers, the process of teaching legal English may be fraught with difficulties due to close links between legal language and legal knowledge, the latter requiring additional effort to become familiar with. As pointed out by V. Bhatia (1989, p. 223), “of all the specialist disciplines that an ESP practitioner may be called upon to design and teach ... perhaps in none of them the need to integrate the specialist content and the language used to communicate it is greater than in Law”. For this reason, the challenge of teaching legal English is not purely linguistic in nature. On the contrary, it also requires a good understanding of the legal concepts that this specialized language aims to express. Hence, the challenge of teaching legal English calls for a dual expertise in law and language teaching, a combination that may not be readily available. Students may also struggle with the dual challenge of learning legal English due to a variety of factors, including their general language skills, their knowledge of law as well as the contexts they intend to use legal English in the future. Given that numerous combinations of such factors can exist, thus creating unique learning paths for each student, a standardized, one-size-fits-all approach to teaching legal English is likely to be insufficient.

Exploring teaching through the lens of comparative education

Researching legal English inherently engages with both language and law, thereby intertwining the fields of linguistics and legal studies. This unique intersection, coupled with the multifaceted nature of teaching legal English and the varied contexts in which it occurs, creates a compelling focus for research in applied linguistics and its adjunct discipline, educational linguistics (Spolsky, 1978). Yet, an additional dimension can be gleaned by adopting the lens of comparative education, a field that eponymously deals with comparisons in educational contexts. Given this article’s objective—to

conduct a cross-national examination of legal English instruction—the inclusion of comparative education seems particularly fitting, as this approach facilitates an enriched understanding of the diverse pedagogical strategies and cultural contexts involved in teaching legal English.

Having evolved over the course of 200 years, the field of comparative education has seen a range of interpretations reflecting its complex array of research approaches (Hayhoe, Manion and Mundy 2017; see Phillips and Schweisfurth 2014, p. 7–14 for an overview). M. Debeauvais (1985, p. 859) deftly captures this variety, asserting that “Comparative education covers a vast field which does not correspond to any strict normative definition”. Consequently, debates regarding the scope, identity, and disciplinary status of this field remain ongoing.

Under a broad definition, comparative education examines “two or more educational operations to discern their similarities and differences” (Thomas, 1990, p. 1). Here, ‘educational operations’ encompass any activity related to teaching and learning. However, the term often extends to include analyses of education systems in different countries. Hence, research in this field invariably acquires an international focus. G. P. Kelly, P. G. Altbach, and R. F. Arnove (1982, p. 505) emphasize this international focus by suggesting that comparative education is “a field devoted broadly to the study of education in other countries”. Many scholars such as E. Epstein (1994, p. 918) have echoed this sentiment, while J. H. Williams (2022, p. 223) has gone as far as to assert that comparative education “might be construed as the triumph of a discipline that seeks to understand things in the context of the world over those who more or less explicitly see their pedagogy as trying to understand things primarily in the context of ‘home’”. The emphasis on juxtaposing various aspects of educational systems across various nations has been underlined by several scholars, with the term *comparative and international education* sometimes synonymously used with *comparative education*, further underscoring its global orientation.

J.H. Williams (2022) explores comparative education through five perspectives, namely Contextual, Comparative, Cultural, Critical, and Constructive. Two of these lenses—contextual and comparative—are particularly important here. The contextual lens stresses the importance of context and the ways in which it affects (and is affected by) educational phenomena. Since the interactions between the context and educational practice are reciprocal, focusing only on the latter may only yield a fragmented picture of the educational situation. Crucially, due to the embedding of educational practice in its context, the same practice may well work differently in another

context. The comparative perspective of comparative education goes to the core of this field. It involves the systematic examination of similarities and differences between various aspects of education in different countries.

Apart from its fundamental aim to produce new knowledge, comparative education also offers valuable practical insights, benefitting practitioners, including teachers. By examining education systems and practices in various countries, educators may enhance their pedagogical approaches (Luschei and Castañeda 2022). Comparative education serves as a starting point for teachers to reflect on key issues such as classroom organization, curriculum design, pedagogical practices, and student diversity, ultimately improving their teaching (Hayhoe, Manion and Mundy, 2017, p. 2). Furthermore, comparative studies inform teachers about the effectiveness of various pedagogical options, resources, and curricula, enabling them to make informed decisions that positively impact student learning outcomes (Adamson, 2022).

While the preceding discussion did not concentrate on the teaching of any particular content, it seems reasonable to conclude that the lens of comparative education can effectively elucidate the diverse educational settings in which legal English is taught. The strength of comparative education lies not only in its focus on juxtaposing different educational situations to highlight their differences and similarities, but also in its emphasis on the importance of context when analyzing educational practices. Although comparative education cannot replace the insights from applied linguistic approaches into legal English teaching, it can indeed complement them, providing a more comprehensive understanding of the field. This broadened perspective may prove valuable not only for researchers delving into the complexities of legal English teaching, but also for practitioners and students in the field. A key benefit, it seems, lies in the opportunity to learn from the experiences of others, critically reflect on one's own pedagogical practices, and enhance one's own teaching practice.

Aims and methodology

Drawing on existing accounts of how legal English is taught at the tertiary level in selected countries, this article aims to offer a cross-country perspective on the challenges encountered and the solutions adopted. Although the subject of legal English teaching has received attention in a variety of publications (see the next section), many of these provide a local perspective, often restricted to a single university or a country. As a result, comparative research into the practice of legal English teaching is limited.

Yet, such a comparative approach is valuable. It not only facilitates a broader understanding of the specific problems faced by legal English teachers and their students, but also offers an opportunity to learn from the variety of strategies employed in different pedagogical contexts.

To address the existing gap in research, this article aims to build on selected studies in this area, analysing and synthesising them. We hope that by offering a critical perspective on the current practices in legal English teaching, we will be able to delineate what has been accomplished from what still remains to be done in this area. We also hope that our review, while summarizing existing knowledge, will also offer a synthetic account that presents new perspectives on the problem in question². Since many of the problems described in the studies selected for the review are practical, the study may also have clear practical implications and recommendations. As such, this paper may prove useful to academic teachers, tutors, and trainers responsible for teaching EALP or EOLP as well as to those involved in curriculum design for EALP or EOLP in tertiary education institutions and beyond.

In order to capture diversity in teaching and learning contexts as well as geographical regions, our review includes four countries: the UK, the USA, Poland, and Israel. These were selected based on the assumption that the teaching of legal language would vary between countries where English is spoken as a *de facto* official language and those where it is not. Furthermore, the chosen countries represent different legal systems, which we anticipate could influence teaching strategies and the challenges presented in legal English instruction. The USA and the UK are English-speaking countries rooted in the common law tradition. Israel, while not an English-speaking country, bears a significant resemblance to the British legal system due to historical ties between the two countries (Deutch, 2003, p. 126). Finally, Poland, which is a civil law country, offers a perspective where law students learn legal English as part of their foreign language training.

To select articles for our comparative review, we employed two screening criteria: a practical screen and a methodological screen. In the practical screen, we focused on articles that discussed the teaching of legal English at the tertiary level in the selected countries. We sought publications that provided insights into the challenges faced by legal English teachers and the solutions they adopted. Our aim was to include studies that specifically addressed the context of legal English teaching rather than general English language instruction. In the methodological screen, we sought articles

² See Boote and Beile 2005 and Maxwell 2006.

that presented a clear methodology or approach to studying legal English teaching. We prioritized studies that provided a descriptive account of legal English teaching. Yet we supplemented our discussion with insights from additional studies. We begin our review by examining approaches to legal English teaching on a country-by-country basis.

Local perspectives on teaching legal English: An overview

Our literature review regarding the teaching of EALP and EOLP begins with the UK, a country with a wide range of legal English courses offered, addressing the diverse needs of both law students and legal professionals. This rich offering of courses reflects the fact that British universities cater not only to the needs of UK citizens (many of whom have English as their L1) studying for a degree in law but also to the needs of a large number of foreigners who come to the UK to pursue a degree in law or to learn legal English in an English-speaking country.

Insightful case studies regarding teaching legal English in the UK context are provided by J. Northcott (2009) and P. Howe (1993). J. Northcott (2009) gives an overview of courses offered by Edinburgh University's Institute of Applied Language Studies; namely, (1) English for Legal Studies, (2) English for Lawyers and (3) English for the LLM. Due to its international reputation, this higher education institution attracts students from diverse backgrounds with varied needs and expectations. In order to cater to these needs, the institute offers courses that are customized to suit specific target groups. English for Legal Studies is aimed at law undergraduates and recent graduates from civil law countries, English for Lawyers is designed for legal professionals with some experience in legal practice, whereas English for the LLM (Master of Laws) focuses on English for Academic Legal Purposes and is particularly suitable for those who intend to enrol in a postgraduate law program in English. P. Howe (1993), on the other hand, focuses on planning a pre-sessional course in EALP for undergraduate L2 students to assist course designers and teachers. Both researchers agree that in order to understand common law and its language students need to improve their language skills but also broaden their historical, political, and sociological knowledge (Howe, 1993, p. 150; Northcott, 2009, p. 174).

Northcott categorizes potential groups of learners, outlining the challenges involved in meeting their needs (Northcott, 2009, p. 169–174). She finds that courses in English for Academic Legal Purposes may appeal to the broadest spectrum of students. This diverse group includes undergraduates studying in common law-influenced legal systems (where English is not

L1), UK law undergraduates, LLM students, students pursuing diploma of law courses, law undergraduates from civil law countries as well as US law schools. For the first subgroup, developing their reading comprehension and writing skills is crucial. Since case reports and statutes constitute key genres in their education, a genre-based approach may effectively address their needs. Northcott also suggests that corpus-based methods and findings from the area of computational linguistics may prove useful. However, she notes that they may have to be adapted for the course purposes as the needs of linguists, legal students and lawyers may not be the same³. As for reading comprehension skills, a wide range of resources are available for both classroom and as self-study use⁴, while teaching writing presents a challenge as skills most materials are developed with L1 speakers in mind and resources suitable for EALP contexts are scarce⁵. However, some of these materials are adaptable to meet the needs of L2 students as well⁶. For another subgroup of potential students, i.e. UK law undergraduates, the same methods as the ones suggested for the first subgroup apply provided that students have at least a basic proficiency in general language. If proficiency is lower, non-specialist EAP courses supplemented with language materials aligned with students' specific law courses may prove more suitable. LLM students will often face dual challenges, as they may struggle due to purely linguistic problems (as they often are L2 English speakers) as well as due to their lack of familiarity with the UK legal system. Initially, these students may need to learn the intricacies of the legal systems covered in their law programs. They may also need to acquaint themselves the Socratic method used in seminars in common law countries. With its emphasis on individual participation and contribution, this method may be new and stressful, especially to students from Asian cultures, which tend to prioritize collective rather than individual efforts⁷. Thus the teacher's task will involve developing students' confidence so that they can actively participate in this seminar format (Northcott, 2009, p. 175–176).

As for students enrolled in Diploma of Law courses, their needs focus on the same areas as those of undergraduate law students; and thus the

³ See Dongmei and Li 2015, Hafner and Candlin 2007, and Kemp 2018 for potential applications of corpus data in legal English teaching.

⁴ See Badger 2003, and Langton 2004.

⁵ See Candlin, Bhatia, Jensen and Langton 2002.

⁶ See Strong 2003 for details on the CLEO (Claim Law Evaluation Outcome) method that aids in problem-question essay writing.

⁷ See also Feak and Reinhart 2002: 9 for an account of the US teaching context.

teaching methods are similar. These Diploma courses, these originally designed for English non-law graduates wishing to embark on a career in law, are now increasingly attracting students from Asia, who come to the UK to attend this type of courses. Since Diploma of Law courses aim at teaching substantive English law as well as English for Academic Legal Purposes, the courses will cover similar areas and use similar approaches as undergraduate law courses discussed earlier. Undergraduates from civil law countries constitute yet another subgroup and again this group may be heterogeneous as it may include those preparing to study English or American law and those aiming to understand the Anglo-American legal systems, especially contract law. A course for this target group is usually an English for General Legal Purposes course, i.e. it is topic-based covering areas similar to those included in an undergraduate law program with legal terminology being presented within the context of the common law system. A challenge pertinent to a course aimed at such a diversified group is predicting the contexts the students may need to use Legal English in, which may vary depending on the countries of origin and their professional needs. A possible solution might be to employ comparative law methods, where essential elements of, for instance, a contract under English law are presented and asking students to compare these with the law in their own countries. Such methods may be found in *English for Contracts and Company Law* (Chartrand, Millar and Wiltshire, 2009), which is geared towards European law undergraduates. This kind of approach allows for the integration of the necessary socio-cultural aspects that affect all legal systems (Northcott, 2009, p. 173).

Another course type is English for Lawyers. Such courses are in high demand as insufficient proficiency in English both in terms of receptive and productive skills constitutes a career obstacle and may limit business opportunities. Similar to Business English courses, they focus on practical communication skills such as giving presentations, making phone calls, negotiating, and writing letters and reports. The target audience for this type of the course mainly includes lawyers working in an international environment as well as judges and prosecutors from continental Europe who may need to improve their legal English skills for Continuing Professional Development requirements (Northcott, 2009, p. 173). The LLM course offered by the Institute for Applied Language Studies at the Edinburgh University is designed for students studying for their Masters in Law degree in the US and the UK as well as in LLM English language programs run in other European countries (Northcott, 2009, p. 171). The design of such a course will be discussed in the

section devoted to the US context, using C. Feak and S. Reinhart's (2002) account of a pre-sessional program at the University of Michigan.

As for another influential common law country, i.e. the USA, the situation is slightly different as law is not taught there at undergraduate level (Northcott, 2009, p. 176). This leads to US law schools to emphasize skills-based courses as an assumption is made that students have already mastered fundamental academic skills. The target audience for legal English courses here includes both L1 and L2 speakers of English who need an introduction to American law course covering very context-specific legal issues (Northcott, 2009, p. 176). Undoubtedly, L2 speakers may require more assistance both in legal language as well as the peculiarities of the US legal system. One solution to this problem may be attending a pre-sessional language program at an American university aimed specifically at those admitted to law schools, such as the one offered at the University of Michigan (Feak and Reinhart 2002, p. 7).

After analysing students' entry-level knowledge and skills, the course designers concluded that a general EAP program would not adequately prepare students for the US law program, especially in terms of honing reading comprehension and writing skills. In contrast to continental or UK law programs based on textbooks, in an American law school studying consists in reading and analysing cases⁸. The fact that both the content and the language used in these cases will probably be new to students does not make students' task any easier. Additionally, students are often required to write research papers following specific academic legal writing styles, which may be challenging for students unfamiliar with such conventions. Despite their diversity, students often share a common characteristic: they enter the program with a strong legal background as they graduated from law programs in their countries and often with field experience. However, they may be concerned that their linguistic skills may not be sufficient to meet the demands of a law school. To cater to students' needs, the tailor-made pre-sessional course comprises four interrelated components: Processing Legal Materials (this component design was based on M.A. Lundberg's (1987) study contrasting novice and expert legal readers), Academic Legal Writing, Interactive Listening and Speaking, and Researching Legal Issues, which aim to build or strengthen key competencies in the area of law (Feak and Reinhart, 2002, p. 11). The program's distinguishing features include a focus on authentic

⁸ Specific strategies for dealing with legal case reading are presented in Reinhart 2007.

academic legal English materials, legal experts as instructors for some classes, the effective use of specially tailored in-house materials, a workshop in the Language of Law, visits to law classes as well as films and field trips (Feak and Reinhart, 2002, p. 18–20). As this type of program combines linguistic skills with subject-area knowledge, collaboration between language teachers and law instructors is necessary for achieving optimal outcomes⁹.

The needs of L2 speakers wishing to study in undergraduate or graduate programs in the UK or the USA may differ from those of law students in other countries. Moreover, numerous factors, including cultural, historical or sociological contexts, may affect these needs¹⁰. Due to space limitations, this paper will discuss the approaches to teaching legal English in two non-English speaking countries, namely, Israel and Poland. The former has a deep-rooted affiliation with the English common law system, while the latter operates under a civil law framework.

In the case of Israel, there are clear historical and cultural ties to the English common law system. Recently, the influence of the American legal system has grown with American cases being cited as support for Israeli decisions and serving as an inspiration for Israeli Supreme Court judges (Deutch, 2003, p. 127–128). These close ties result in the increased importance of the English language both for law students, legal professionals, and academic legal research. Students taking an EALP or EOLP in a non-English speaking country may need to communicate in academic situations as well as in varied professional contexts. In her study, Y. Deutch argues that while Israeli institutions of higher education recognize the importance of specificity in language instruction, a quick review of the materials used in legal English courses revealed that there was no unified methodology and many of the materials used were selected haphazardly (Deutch, 2003, p. 126). Another challenge is the fact that all legal English courses in Israeli higher education institutions “are limited in duration”, which makes it difficult to address students’ short-term (academic) needs and their long-term (occupational) needs simultaneously. As approaches vary and seem not to be optimally suited to cater to the needs of students, Y. Deutch (2003) examines students’ needs and offers some feasible solutions.

⁹ The need for collaboration between legal subject instructors and language teachers to achieve best pedagogic results is also discussed in Deutch 2003, Feak and Reinhart 2002, Howe 1993, Łuczak 2012, and Sierocka 2017a, 2017b.

¹⁰ See Deutch 2003 for an account of Israeli context, Ng 2009 for a description of the situation in Hong Kong, and Morrison and Tshuma 1993, Northcott 1997 for more details on legal English education in Zimbabwe.

Given the complex network of factors determining students' needs and the numerous constraints, both institutional and individual, a possible solution could involve focusing on those needs that align with the requirements set by both academic instructors and legal practice as opposed to an approach taken by some Israeli law schools' English departments which emphasizes all four language skills equally (Deutch, 2003, p. 133–134). According to Y. Deutch (2003, p. 134), reading comprehension should be prioritized as it prepares students for dealing with their university assignments and future work-related tasks. Interestingly, this recommendation concurs with those made by the UK and US course designers mentioned earlier. If one agrees to prioritise reading, there is another key decision to be made regarding course design namely selecting the legal English genres that would reflect the texts students are likely to encounter while at university or in the professional lives. Y. Deutch's analysis reveals that students and professionals have different priorities. In an academic context, articles are considered to be the most important genre, whereas in legal practice legal documents rank highest in terms of importance, a difference that implies a possible mismatch between short- and long-term goals of legal English education. A solution here could involve giving priority to legal articles and books, supplementing them with court decisions and legislation (Deutch, 2003, p. 136–137). Ideally, the curriculum should follow that of the legal courses and focus on legal concepts already acquired by students, allowing them to utilize their background legal knowledge (Deutch, 2003, p. 140). Writing is another skill that is vital for legal practitioners. In law, "language is medium, process and product" (Maley, 1994, p. 1) and therefore, a lawyer is responsible for ensuring that the language they use is clear and unambiguous. However, Y. Deutch (2003, p. 135) argues that teaching legal writing at the university level is an unrealistic task and as such should not be incorporated into the curriculum due to the complexity of legal writing, time constraints of legal English courses, and the potential lack of subject knowledge on the part of students, who may not be able yet to draft legal documents even in their mother tongue as these skills are acquired during legal practice.

Not unlike other countries, in Poland there is also a need for universities to equip law graduates with the knowledge, skills, and competencies regarding legal English. The goal here is to enable them to communicate effectively in an international environment, thereby potentially giving them an edge over their competition in the job market. However, teaching legal English in Polish higher education institutions comes with a set of constraints which are similar to those mentioned in the case of Israel. These include

curriculum time, students' insufficient foreign language skills, and background legal knowledge. Additionally, the lack of a standard curriculum for teaching legal English at tertiary-level institutions might also hinder effective instruction (Sierocka, 2016, p. 225). Moreover, students' lack of familiarity with historical, cultural, and social contexts of common law countries and with the differences in legal traditions may pose additional difficulties. Interestingly, many publications regarding teaching legal English in Polish higher education institutions revolve around analysing law students' or legal professionals' needs (Łuczak 2010; Sierocka 2017a; Sierocka, Chovancová and Kordić, 2018), curriculum design and implementation (Sierocka, 2014b; Sierocka, 2016) or a model of a legal English teacher and a legal English teacher's professional development (Łuczak, 2012; Sierocka, 2017b). As a result, the literature on the subject offers a collection of recommendations and some useful guidance for course designers and teachers rather than reports on methods and strategies applied in university programs.

H. Sierocka (2016) describes her attempt at designing and implementing an effective legal English course aimed at developing the necessary skills for the legal profession. Initially, she conducted a needs analysis before the course, which revealed that speaking was considered the most helpful skill, with writing, listening, and reading coming a close second¹¹. She reported facing challenges when trying to incorporate writing practice into the course. Several factors contributed to this difficulty: writing assignments tend to be time-consuming, the course duration is limited due to organizational constraints, and students were initially reluctant to complete writing tasks either in class or as homework. Interestingly, despite this reluctance, students indicated at the end of the course that "more writing would be desirable". The research also revealed that students expressed a desire for more testing as they wanted to have their progress evaluated. Moreover, they also saw testing as an effective motivator, helping them to increase their learning efforts (Sierocka, 2016, p. 132-138). Given that speaking ranked highly in students' needs, a natural consequence is to put emphasis on pair and group

¹¹ Sierocka, Chovancová and Kordić (2018) conducted a comparative study of lawyers' needs in relation to legal English. They found that Polish respondents (legal professionals) ranked speaking as the most important skill, followed by writing and listening, while reading was considered the least important. What is more, the results of the study helped identify specific areas which should be given special attention, namely, public speaking, vocabulary acquisition, legal writing and telephone communication (Sierocka, Chovancová and Kordić 2018, p.76, 81). These needs and preferences may not fully align with those of students but they do show significant overlap.

work, thus offering opportunities to practise communication skills. When it comes to the course content, it seems that in the Polish setting branches of law that are central to civil law legal culture should also be included. This would enable aspiring lawyers to effectively explain the concepts of the Polish law or those of EU regulations to their clients or to draft documents based on these concepts. When asked for recommendations, language specialists (i.e. language teachers) suggested including civil law (encompassing family law, intellectual property law, property law and inheritance law), company law, and employment law in the course curriculum, whereas subject specialists (i.e. law instructors) supplemented civil law with European law and contracts (Sierocka, 2017a, p. 17). However, research findings reported by K. Mroczyńska (2023) revealed that the majority of legal English courses offered as part of law programs in Poland rely mainly on publications intended for the international market (Krois-Linder 2008; Krois-Linder, Firth and Translegal 2011; Mason 2021), a notable exception being *Legal English: Niezbędnik prawnika* (Sierocka, 2014a), which caters specifically to the needs of Polish students of legal English. Since the core content of publications intended for the international educational market does not align with the suggestions of Polish law specialists in Polish higher education institutions, teachers often have to supplement textbooks with their own materials. The scarcity of published legal English materials aimed at developing the content of Polish law is also mentioned as a drawback by A. Łuczak, who argues that Polish students do need to acquire the ability to discuss Polish legal issues in English. This underscores the need for legal English teachers to supplement their courses with in-house materials dealing with domestic law issues (Łuczak, 2012, p. 123). Another interesting issue is the perception of the importance of teaching specialist vocabulary and grammar among language and subject specialists. While there was consensus as to giving priority to vocabulary expansion, their opinions diverged as to how much grammar content should be provided. Language specialists suggested that only essential structures needed to be taught while subject specialists' opinions varied: some of them viewed grammar aspects as crucial and others as irrelevant (Sierocka, 2017a, p. 29).

The needs reported by ELP course target groups (i.e. law students and legal professionals) (Sierocka 2016, 2017a) are somewhat at odds with the make-up of the majority of textbooks intended for teaching legal English, where priority is given to reading comprehension and vocabulary expansion, followed by drafting documents. This discrepancy, along with the necessity to supplement the course curriculum with aspects of civil law, indicates that either the course should be based on a textbook intended for this region or

it should utilize some in-house material covering the issues absent from textbooks offered by international publishers.

Conclusions

The literature review carried out in the previous section allows for several conclusions. Firstly, it is evident across all surveyed countries that a broad awareness exists regarding the multifaceted challenges associated with learning and teaching legal English. There is also a shared acknowledgment of the diverse group of legal language learners, which includes law students, various legal professionals, legal translators/interpreters, English teachers, and others. These learners, apart from their professional backgrounds, may vary in their general language proficiency, legal knowledge, and legal English skills. Their motivations for enrolling in a legal English course may also vary widely, adding complexity to the learner profile.

The teaching of legal English, given the myriad of factors influencing students' learning needs, is undeniably intricate. Balancing these diverse factors often calls for bespoke approaches, underlining the significance of needs analysis in developing course frameworks and syllabi that cater to students' needs, backgrounds, and motivations. The process of syllabus design is described by Sierocka (2014b, p. 40) as a “dynamic mix of juggling and doing puzzles.” In the case of legal English courses, the end product may well reflect Komorowska's (2006, p. 119) concept of a “skewed syllabus”—one that prioritizes usefulness and students' needs over a balanced approach that equally emphasizes all skills. However, it is important to note that, despite careful planning, any developed syllabus might still require further modifications to better align with the teaching context.

The review suggests that the various courses analyzed do largely accommodate the diverse needs of students. Integral to these courses are the resources they incorporate. While legal English teachers have an expanding selection of textbooks to choose from, they may often need to be selective and supplement these resources with custom materials to meet specific student needs and expectations. Given the many contexts a legal English course may be designed for, a one-size-fits-all textbook is not only non-existent but also unrealistic.

Technological advances, particularly in corpus linguistics, have opened new avenues for enhancing legal English teaching and learning. These innovations facilitate the development of a broad spectrum of learning materials, such as worksheets, glossaries, lists of phraseology, and even specialist

dictionaries¹². These resources offer tangible benefits to both students and teachers of legal English, though their effective use might require additional training.

With the diverse needs of legal English students, a corresponding diversity in legal English teachers is expected. Various factors—general English proficiency, legal English proficiency, legal knowledge, pedagogical skills, and proficiency in the students' native languages—can influence a teacher's suitability for a specific course. Hence, it can be inferred that legal English teachers might also need to specialize in teaching legal English within a particular context. One method to support legal English teachers' professional development is to provide them with insights into various legal English teaching practices. Such insights might come from detailed case studies and comparative studies, which may inspire teachers and course designers. In this way, local solutions to global problems can potentially carry global implications.

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¹² See for example *Towards a dictionary of legal English collocations* (Michta and Mroczyńska, 2022), which offers an overview of noun-centered collocations culled from the judgments handed down by the UK Supreme Court.

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