

**Federal State Autonomous Educational Institution  
for Higher Learning**

**THE NATIONAL RESEARCH UNIVERSITY  
HIGHER SCHOOL OF ECONOMICS**

**Department of Foreign Languages**

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**LEGAL TRANSLATION: A PRACTICAL APPROACH  
Course Syllabus**

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<b>ETC</b>	3
<b>Contact hours</b>	40
<b>Self-study hours</b>	74
<b>Year of study</b>	2
<b>Format of course learning</b>	Without use of online-course

**1. Course Description**

The current syllabus of the course is aimed at those teaching it as well as at the students mastering the program and is adjusted both to the general education curriculum of HSE and the curriculum of the HSE Private International Law Program. This course deals with legal translation problems that arise with the intrusion of international or interstate elements into litigation conducted in Russia. It includes fields of jurisdiction, the recognition and enforcement of foreign and interstate judgments, personal connections (citizenship, domicile and residence), property law and obligations (contractual and tortuous). This course has been designed specifically to satisfy the needs of MA students enrolled in the Private International Law Program. The purpose in offering this course is to provide Master Degree students with a thorough grounding in the principles and rules of private international law translation specifics (also known as conflict of

laws). This course will be run using a lecture and tutorial format. Lectures will last from 40 to 80 min. and there will be 40-80 min. practical seminars as well.

**a. Title of a Course**

“Legal Translation: A Practical Approach”

**b. Pre-requisites**

English (Upper Intermediate)

**c. Course Type**

Compulsory

**d. Abstract**

The aim of the course is to educate students in and about the legal translation general problematic field. It seeks to assist students to think critically about the legal translation specifics and to investigate its principles, practical strategies and procedures, its terminological use peculiarities and general theoretical concepts and values. This is achieved by engaging with the audience as fellow investigators in a range of critical and intellectual conversations about the law and the place of legal translation in society, science and academic community (the project-based learning (PBL) format will be activated in class).

The role of the course instructor is thus to guide students audience in their own intellectual journey in the legal translation environment and to equip them with the necessary skills that will further enable them to continue that cognitive journey long after they have finished the course. Legal translation problems associated with intrusion of a “foreign” system of law including topics of jurisdiction, recognition of foreign judgments, domicile, family law, property law, contracts, torts, succession & administration of deceased estates.

**2. Learning Objectives**

The objectives of the course cover the following points:

- introduce the general principles of legal (private international law) translation, with a particular focus on its terminological and comparative aspects as informed by the accumulated practical experience in this field;
- enable students to develop a knowledge of the rules of translation in the chosen thematic professional domain, of the choice of translation method, and the choice of either standard or non-standard/creative translation solutions in selected areas in response to exactly articulated translation tasks; and
- allow students to develop a critical understanding of the methods that private international law translation uses to resolve cross-border litigation and bridge the gaps between cross-cultural terminological and actual professional differences.

**3. Learning Outcomes**

***Students must gain knowledge on:***

- the general principles of legal (private international law) translation;
- terminological and comparative aspects;
- a knowledge of the rules of translation in the chosen thematic professional domain;
- a critical understanding of the methods that private international law translation uses to resolve cross-border litigation and bridge the gaps between cross-cultural terminological and actual professional differences.

***Skills and abilities:***

- in-depth knowledge of the field of study;
- effective communication;
- independence and creativity;
- critical judgement;
- ethical and social understanding.

***Students should gain the following competences:***

- to work with information and sources (search, evaluate and use information to fulfil academic and professional tasks);
  - to carry out professional activities in the international environment;
  - to search, analyse, and work with legally relevant information by using the juridical, comparative and other specific methods,
  - to describe and resolve legal problems and situations involving international contracts.

#### **4. Course Plan**

№	Activities	Hours Total	Hours in Class		Independent Studies
			Lectures	Seminars	
1.	<b>Module I.</b> A Lecture Course		20		28
2.	<b>Module II.</b> A Practical Seminar Course			20	46
		114	20	20	74

№	2018	Hours in Class	Theme	Class Format	Learning Resources/ Home Task
	Date				
1.	<b>04.09.</b>	1	<u>Lecture 1.</u> <b>Introduction to Modern</b>	An interactive	<i>Visual aids: A teacher's</i>

			<b>Translation Teaching Methods:</b> <ul style="list-style-type: none"> <li>• Pre-Translation Analysis / Translation Background,</li> <li>• Didactic Algorithms,</li> <li>• Terminological Glossaries &amp; Parallel Texts Corpora Use</li> </ul>	lecture	<i>presentation</i>
		1	<u>Lecture 2.</u> <b>Introduction to Translation Studies (Part 1):</b> <ul style="list-style-type: none"> <li>• Definition of Translation,</li> <li>• Types of Translation,</li> <li>• Translation as a Text and as a Process</li> </ul>	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		1	<u>Lecture 3.</u> <b>Introduction to Translation Studies (Part 2):</b> <ul style="list-style-type: none"> <li>• Translation &amp; Origin Message, Sense Conveying,</li> <li>• Translation Discourse, Its Types &amp; Structure,</li> <li>• General View on Translation Strategies / Literary vs Informative Translation</li> </ul>	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		1	<u>Practical Seminar 1</u> on Lecture 1: <b>What is Your Idea of a Successful and Productive Brief Legal Translation Course?</b> (Give Arguments on Your Motivation, Preferences & Choices).	An interactive discussion	<i>Home Task: A Question Pool to be discussed</i>
<b>Total: 4 (lectures - 3, seminars - 1)</b>					
2.	<b>11.09</b>	1	<u>Practical Seminar 2:</u> Revision of Lecture 2.	An interactive discussion	<i>Home Task: A Question Pool to be discussed</i>
		3	<u>Lecture 4.</u> <ul style="list-style-type: none"> <li>• <b>Meaning and Context, Major Context Function.</b></li> <li>• <b>Types of Translation Contexts (2).</b></li> <li>• <b>Regular and Occasional Equivalents in Translation (1).</b></li> </ul>	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
<b>Total: 4 (lectures - 3, seminars - 1)</b>					
3.	<b>18.09</b>	1	<u>Practical Seminar 3:</u> Revision of Lecture 3.	An interactive discussion	<i>Home Task: A Question Pool to be discussed</i>
		3	<u>Lecture 5.</u> <ul style="list-style-type: none"> <li>• <b>Semiotic and Interpretive Approaches to Translation (2).</b></li> </ul>	An interactive lecture	<i>Visual aids: A teacher's presentation</i>

			<ul style="list-style-type: none"> <li>• <b>Pragmatic Equivalence of Translation (1).</b></li> </ul>		
<i>Total: 4 (lectures - 3, seminars - 1)</i>					
4.	<b>25.09</b>	1	<u>Practical Seminar 4:</u> Revision of Lectures 4-5.	An interactive discussion	<i>Home Task: A Question Pool to be discussed</i>
		3	<u>Lecture 6.</u> <ul style="list-style-type: none"> <li>• <b>Pragmatic Adaptation Tools in Translation Practice (1)</b></li> <li>• <b>Major Translation Strategies and Basic Procedures (2).</b></li> </ul>	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
<i>Total: 4 (lectures - 3, seminars - 1)</i>					
5.	<b>02.10</b>	2	<u>Lecture 7.</u> <b>Pre-translation Analysis</b> (part 1: Terminological glossary design).	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		2	<u>Practical Seminar 5:</u> Revision of Lecture 6.	An interactive discussion, written practice case-study, translation problem solving	<i>Home Task: A Question Pool to be discussed</i>
<i>Total: 4 (lectures - 2, seminars - 2)</i>					
6.	<b>09.10</b>	2	<u>Lecture 8.</u> <b>Pre-translation Analysis</b> (part 2: Translation comments writing).	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		2	<u>Practical Seminar 6:</u> Revision of Lecture 7.	An interactive discussion, written practice case-study, translation problem solving	<i>Home Task: A Question Pool to be discussed</i>
<i>Total: 4 (lectures - 2, seminars - 2)</i>					
7.	<b>16.10</b>	2	<u>Lecture 9.</u> Post-translation Analysis (part 1: Professional self-checking algorithms).	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		2	<u>Practical Seminar 7:</u> Revision of Lecture 8.	An interactive discussion, written practice	<i>Home Task: A Question Pool to be discussed</i>

				case-study, translation problem solving	
<b>Total: 4 (lectures - 2, seminars - 2)</b>					
8.	<b>30.10</b>	2	<u>Lecture 10.</u> <b>Post-translation Analysis</b> (part 2: Editing & Post-editing).	An interactive lecture	<i>Visual aids: A teacher's presentation</i>
		2	<u>Practical Seminar 8:</u> Revision of Lectures 9-10.	An interactive discussion, written practice case-study, translation problem solving	<i>Home Task: A Question Pool to be discussed</i>
<b>Total: 4 (lectures - 2, seminars - 2)</b>					
9.	<b>06.11</b>	4	<u>Project Seminar 9:</u> <i>Collective Projects Presenting.</i>	A mock conference	<i>Visual aids: Students' Group presentation</i>
<b>Total: 4 (seminars - 4)</b>					
10.	<b>13.11</b>	4	<u>Project Seminar 10:</u> <i>Individual Projects Presenting.</i>	A research seminar	<i>Visual aids: A Student's presentation</i>
<b>Total: 4 (seminars - 4)</b>					
<b>Final (40): Lectures -20; Seminars - 20.</b>					

## 5. Reading List

### a. Required

1. Baaij C.J.W. Legal Integration and Language Diversity: Rethinking Translation in EU Lawmaking [электронный ресурс]. Published to Oxford Scholarship Online: March 2018. – Режим доступа: <http://proxylibrary.hse.ru:2225/view/10.1093/oso/9780190680787.001.0001/oso-9780190680787?rskey=zOzy1E&result=1>
2. Kelsen H. Introduction to the Problems of Legal Theory: A Translation of the First Edition of the Reine Rechtslehre or Pure Theory of Law [электронный ресурс]. Published to Oxford Scholarship Online: March 2012. – Режим доступа: <http://proxylibrary.hse.ru:2225/view/10.1093/acprof:oso/9780198265658.001.0001/acprof-9780198265658?rskey=zOzy1E&result=2>
3. Freeman M., Smith F. Law and Language: Current Legal Issues. Vol. 15 [электронный ресурс]. Published to Oxford Scholarship Online: May 2013. – Режим доступа: <http://proxylibrary.hse.ru:2225/view/10.1093/acprof:oso/9780199673667.001.0001/acprof-9780199673667?rskey=2gEQs5&result=12>

## **b. Optional**

1. Захарина М.М. Юридическое письмо в практике судебного адвоката [электронный ресурс] – М.: Юрайт, 2018. – 284 с. – Режим доступа: [https://biblio-online.ru/viewer/yuridicheskoe-pismo-v-praktike-sudebnogo-advokata-433262?share\\_image\\_id=#page/6](https://biblio-online.ru/viewer/yuridicheskoe-pismo-v-praktike-sudebnogo-advokata-433262?share_image_id=#page/6)
2. McFadzean D., Irvine L.A. Legal Method Essentials [электронный ресурс] – Edinburgh University Press. 2017. - Режим доступа: [https://www.jstor.org/action/doBasicSearch?searchType=facetSearch&sd=2015&ed=&group=none&acc=off&meta\\_referer=https%3A%2F%2Fwww.jstor.org%2F&wc=on&Query=legal%20writing&meta\\_jstor\\_requestid=search%3A2af164d46f4d33e648c5c9df6ebdef70&meta\\_fastly\\_client\\_ip=109.252.61.219&meta\\_user\\_agent=Mozilla%2F5.0%20\(Macintosh%3B%20Intel%20Mac%20OS%20X%2010%2014\)%20AppleWebKit%2F605.1.15%20\(KHTML%2C%20like%20Gecko\)%20Version%2F12.0%20Safari%2F605.1.15&fc=off](https://www.jstor.org/action/doBasicSearch?searchType=facetSearch&sd=2015&ed=&group=none&acc=off&meta_referer=https%3A%2F%2Fwww.jstor.org%2F&wc=on&Query=legal%20writing&meta_jstor_requestid=search%3A2af164d46f4d33e648c5c9df6ebdef70&meta_fastly_client_ip=109.252.61.219&meta_user_agent=Mozilla%2F5.0%20(Macintosh%3B%20Intel%20Mac%20OS%20X%2010%2014)%20AppleWebKit%2F605.1.15%20(KHTML%2C%20like%20Gecko)%20Version%2F12.0%20Safari%2F605.1.15&fc=off)
3. Kerr A.J. Writing the Short Paper [электронный ресурс] // Journal of Legal Education. 2016. Vol. 66 № 1. pp. 111-115. - Режим доступа: [https://www.jstor.org/stable/26402423?Search=yes&resultItemClick=true&searchText=legal&searchText=memorandum&searchUri=%2Faction%2FdoBasicSearch%3FsearchType%3DfacetSearch%26amp%3Bsd%3D2015%26amp%3Bed%3D%26amp%3Bmeta\\_fastly\\_client\\_ip%3D109.252.61.219%26amp%3Bmeta\\_jstor\\_requestid%3Dsearch%253Ace782d4b74772117a0a7d9aa963e12fe%26amp%3BQuery%3Dlegal%2Bmemorandum%26amp%3Bmeta\\_user\\_agent%3DMozilla%252F5.0%2B%2528Macintosh%253B%2BI%2Bintel%2BMac%2BOS%2BX%2B10%2B14%2529%2BAppleWebKit%252F605.1.15%2B%2528KHTML%252C%2Blike%2BGecko%2529%2BVersion%252F12.0%2BSafari%252F605.1.15%26amp%3Bmeta\\_referer%3Dhttps%253A%252F%252Fwww.jstor.org%252F&ab\\_segments=0%2Fdefault1%2Frelavance\\_config\\_with\\_defaults\\_duplicate&seq=1#page\\_scan\\_tab\\_contents](https://www.jstor.org/stable/26402423?Search=yes&resultItemClick=true&searchText=legal&searchText=memorandum&searchUri=%2Faction%2FdoBasicSearch%3FsearchType%3DfacetSearch%26amp%3Bsd%3D2015%26amp%3Bed%3D%26amp%3Bmeta_fastly_client_ip%3D109.252.61.219%26amp%3Bmeta_jstor_requestid%3Dsearch%253Ace782d4b74772117a0a7d9aa963e12fe%26amp%3BQuery%3Dlegal%2Bmemorandum%26amp%3Bmeta_user_agent%3DMozilla%252F5.0%2B%2528Macintosh%253B%2BI%2Bintel%2BMac%2BOS%2BX%2B10%2B14%2529%2BAppleWebKit%252F605.1.15%2B%2528KHTML%252C%2Blike%2BGecko%2529%2BVersion%252F12.0%2BSafari%252F605.1.15%26amp%3Bmeta_referer%3Dhttps%253A%252F%252Fwww.jstor.org%252F&ab_segments=0%2Fdefault1%2Frelavance_config_with_defaults_duplicate&seq=1#page_scan_tab_contents)

## **6. Grading System**

The final mark is a complex one and consists of the accumulated points (50%) and the mark got for the examination project (50%).

## **7. Guidelines for Knowledge Assessment**

Self-study control:

The form of the tutorials is described in detail above in the table (see point 4 “Course plan”) stressing the project-based learning (PBL) technology (project-based seminars/workshops, mock conferences, case study, etc.).

## **8. Methods of Instruction**

Classes are divided into lectures and seminars. Lectures are conducted in the interactive mode with the focus on the feedback from the students. Students are

expected to get prepared for the upcoming lectures, which enables them to better comprehend the subject matter delivered by the lecturer. Seminars are aimed at combining interactive methods and stimulate individual and group debates on various issues. Home assignments are designed for an extensive review of international treaties, case law, legal authorities, as well as for in-class work preparation.

Use of interactive educational technologies, including:

- socratic method; but also
- interactive seminars;
- participative workshops;
- group discussion;
- brainstorming sessions.

### **9. Special Equipment and Software Support (if required):**

Access to internet and computer-based drafting equipment.