

INTEGRATED UNIVERSITY-BASED TRAINING TO ENHANCE LAWYERS-TO-BE SKILLS IN MULTILINGUAL DOCUMENTS DRAFTING AND TRANSLATION

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Abstract

The paper aims to use interdisciplinary theoretical background to explore didactic features for teachers and students who engage in teaching/learning university-based course on legal documents drafting and translation.

The paper sets forth the hypothesis statement which argues that students make a more solid academic progress when a foreign language based legal documents drafting and translation is put on the curriculum agenda as a separate foreign language course and supported by a specific set of materials.

The analysis is conducted with the view to replying the research questions on major trends in academic research on the topic under study, and on factors that reveal advantages of empirical training that focuses specifically on a foreign language-based legal documents drafting and translation, as well.

The research methodology combined theoretical study of academic sources and empirical studies that included the design of an experimental course on a foreign language-based legal drafting and translation, and experimental training of students on the above course, in comparison with students who were subject to standard training on a traditional materials for legal language training with tasks for drafting and translation. The Moscow-based (Russia) RUDN Law Institute students took part in the experimental training. The academic streaming principle was used to divide students into the groups of standard and experimental training.

The differences with regard to outcomes of standard and experimental training were revealed through the marks that students from experimental and standard training groups got, and the percentage of errors the students committed.

Keywords: language, linguistics, multilingual legal drafting, translation

1 INTRODUCTION

The contemporary world develops as a strongly multilingual community where both written and oral kinds of communication matter in terms of collaboration and partnership development.

The enhancement of multilingual activities of international community makes it of vital importance to issues of quality assurance with regard to many domains. One of them refers to the legal field.

Therefore, both international organizations and national authorities pay attention to the quality of documents drafting within national and international multilingual settings (Biel, 2017, Richardson, 2019, Tao, & Xie, 2019).

Thus, there is a need in multilingual lawyers and legal translators who would be trained and master the respective skills (Biel, 2019, Dernbach, et al 2017).

The above confirms that the present research is timely with regard to societal needs.

The theoretical background includes major provisions of interdisciplinary language studies with regard to legal language specificity and peculiarities, including legal documents fixed structure of the text, specifics of grammar forms use, terminology issues, use of set phrases and word combinations, etc. (Mattila, 2016, Endicott, 2016, Haigh, 2018, Li, 2018).

The research subject is the process of training students' skills in the area of legal documents drafting and translation.

The research object covers stumbling blocks and mistakes that students make in the course on legal documents drafting and translation.

The study aims to use interdisciplinary theoretical background to identify didactic features for teachers and students who are part to the university-based course on legal documents drafting and translation.

The research hypothesis states that students make a more solid academic progress when a foreign language based legal documents drafting and translation is put on the curriculum agenda as a separate foreign language course and supported by a specific set of materials.

The above mentioned goal sets forth the following *research questions*:

- What are key trends in academic research on the topic under study?
- Are there any factors that reveal advantages of empirical training that focuses specifically on a foreign language-based legal documents drafting and translation?

2. METHODOLOGY

The research methodology rests on a qualitative paradigm. The research integrated analysis of relevant literature and empirical activities. The analysis of academic sources covers major provisions of the functional pragmatics, language for specific purposes didactics, specialized translation studies, that seem relevant for building theoretical background for the empirical activities. They included the analysis of students' mistakes and the development and testing of respective course to correct them.

The research materials comprise academic sources on the topic under study and empirical data on students' learning process and progress, namely teaching materials and academic progress documentation, assorted by schooling terms.

The research sample included RUDN Law Institute students. The course has been taught at RUDN Law Institute over eight years. There were two large academic streams of students with relatively equal age, gender distribution, different social background and ethnic origin. These features were taken as variables.

Totally over 640 students were part of the experiment. Half of them were trained under the experimental materials for legal drafting and translation skills training, the other half used standard books for legal language learning which included assignments for drafting and translation.

3 KEY TRENDS IN ACADEMIC RESEARCH ON THE TOPIC UNDER STUDY

The modern language studies follow a long standing tradition and recognize the close connection between Law and Language as phenomena of human civilization development (Skouris, 2019), ideology and power representation (Leung, & Durant, 2018, Levy, 2016).

Researchers underline the importance of legal drafting as it reflects the decision-making process (Zalnieriute, et al 2019), underline specific contexts for legal drafting that produce and impact of specific language and discourse patterns use (Farrokhi, 2019, Pennisi, 2016). Moreover scholars highlight the challenges of legal drafting within multilingual settings and legal systems cross roads (Klabbers, & Palombella, 2019).

Scholars agree on the need for a comprehensive understanding of modern drafting process (Stefanou, 2016) explore various areas within language and legal drafting issues. They lay specific emphasis on the role of English as legal lingua franca in international legislation (Künnecke, 2016, Wright, 2016), regional, national, and corporate legal culture specifics (Šarčević, 2016, Xanthaki, 2016), the role of precise language use within multilingual settings which require translation and interpretation (Baaij, 2018, Simonnaes, 2016)

with particular focus on legal certainty (Mišćenić, 2016) to avoid legal vagueness (Li, 2017).

Researchers also consider discourse patterns and text layout of different legal genres (Niemi-Kiesiläinen et al 2016), language issues within legal drafting (Enquist, et al 2017). Apart from the above areas, scholars pay attention to gender issues (Greenberg, 2016), controversy of plain-legal language movement (de Stadler, & van Zyl, 2017), correlational of natural and formal language in legal drafting (Allen, 2018).

Scholars take into account the digital formats of various legal texts, argue for the mentioned specifics being taken into consideration (Rossi et al 2019) with specific attention to visualization in legal text drafting (Atabekova, 2016, Berger-Walliser et al 2017)

Therefore it seems logical the issues of teaching legal drafting come to light (Durant, & Leung, 2017) and form the part of the university and CPD course curriculum (Entrikin, & Neumann Jr, 2017).

The above theoretical issues have been further theoretically developed and applied by the Research School of RUDN Law Institute Department of Foreign Languages under the head of prof. Atabekova, who consistently has mentioned the need for foreign legal language training within the framework of discipline transfer and interrelation within the Law School curriculum (2011), focus on task based training for legal drafting in a foreign language (2009), the importance of the research-oriented tasks within foreign legal language and writing training (2010), holistic approach to students' assessment with regard to foreign legal language and writing training (2014), etc.

4 FACTORS THAT REVEAL ADVANTAGES OF EMPIRICAL TRAINING THAT FOCUSES SPECIFICALLY ON A FOREIGN LANGUAGE-BASED LEGAL DOCUMENTS DRAFTING AND TRANSLATION

The annual empirical training on the materials that were design specifically for legal documents drafting and translation during the period of eight years revealed the factors that confirm the advantages of the training under consideration. These factors are revealed through the marks that students form experimental and standard training groups got, and the percentage of errors the students committed.

The respective final integrated data (compiled form midterm and final term assessment during eight-year period) is introduced in Figure 1. The above mentioned variables turned out as insignificant ones.

Figure1. Percentage of errors and average scores for academic progress in two academic streams (AS) of students

Assessment items for text genre feature quality in writing and translation	Percentage of errors		Types of marks	Average marks for academic progress	
	AS One (standard training)	AS Two (experimental training)		AS One (standard training)	AS two (experimental training)
text structure (average)	9,2	3,67	text structure (average)		
preamble	11	4	excellent	7	17
paragraphing	12	7	good	53	84
headings	9	3	satisfactory	30	9
notes	7	4	bad	10	-
reservations	7	4			
language issues (average)	22,8	9,16	language issues (average)		

syntax structures	23	16	excellent	5	16
morphological categories	27	14	good	44	79
polysemy	13	9	satisfactory	32	5
synonymy	17	6	bad		
clichés	12	4		9	
terminology	15	6			

4 CONCLUSION

The study provided replies to the research questions that were specified to reach the research goal.

The applied activities outcomes make it possible to specify those issues that are critical for quality drafting and translation of legal documents in terms of the text structure (preamble, paragraphing, notes, reservations, etc.), text genre (for instance, memorandum vs legal opinion, legal letter), language issues (tone of officiality and impersonality through the use of relevant syntax structures, morphological categories, vocabulary challenges regarding polysemy, synonymy, clichés, use of the same terminology and language structures to ensure the linguistics uniformity of the document).

The paper sets forth specific items that confirm the relevance of the above issues for documents quality. The data on the progress of students who are taught the mentioned course confirms the research the hypothesis

The above mentioned applied activities lay grounds to specify the content background for didactic guidelines that address the agenda of multilingual legal documents quality to those who deal with the topic within training/learning/ documents processing dimensions.

The respective data underline the importance of such issues as text analysis, work planning, compliance with the sequence of work stages, drafting process in the mode of editing, etc.

The research findings are relevant for theory of interdisciplinary language studies within domain specific areas, and bring practical implications with regard to the activities of multilingual lawyers, legal translators and their trainers, as well.

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