

Legal English in Practice for Lawyers, Judges and Other Legal Professionals

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Unit One

Legal Professions in Poland

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Learning Goals

- 1. To engage Polish lawyers and law students in discussing the legal professions in different legal systems.
- 2. Learners will be able to present the specificity of their own legal profession in English in a professional and confident way.
- 3. Learners will build confidence in using vocabulary and expressions related to the legal profession in English, and in translating these terms between English and Polish.



Let's Discuss

1. What are the main opportunities and challenges for Polish lawyers who want to work internationally or collaborate with foreign clients and law firms?
2. Should the traditional divisions between legal professions (such as advocate, attorney-at-law, or notary) remain, or would a unified legal profession better serve today's global clients? Why?
3. How can access to legal advice be improved so that it is affordable and available to everyone? Should governments play a bigger role in funding it?
4. What new skills do you think lawyers will need most in the future to remain competitive and effective?





Vocabulary: Legal Profession Terms

Check your understanding of the words and phrases below, then read the text to see if you are right. There is a list of these words translated into Polish at the end of the unit.

advocate

legal counsel or attorney-at-law

entrance exam

professional training

solicitor

Solicitors Qualifying Exam (SQE)

qualifying work experience

character and suitability requirements

Solicitors Regulation Authority (SRA)

barrister

court advocacy

rights of audience

split legal profession

solicitor-advocate

professional roll

bar associations

swearing-in

ethical and professional standards

alternative routes to qualification

statutes

amended statutes

in-house lawyer

employment relationship

codes of conduct

professional secrecy

professional indemnity (PI) insurance

to confer

hallmark





Exercise 1

Reading Comprehension

Read the text below about the split legal professions in Poland and in the UK and translate the expressions in bold into Polish !.

Like the legal profession in the United Kingdom, the Polish legal system operates within a **split-profession model**, meaning that legal practitioners are divided into separate professions with distinct titles, qualifications, regulatory bodies, and, in some cases, scopes of permissible practice. In the UK, this traditional division exists between **solicitors** and **barristers**; in Poland, between **advocates (adwokaci)** and **attorneys-at-law (radcowie prawni)**. While both systems require rigorous training and adherence to professional ethics, they differ in their history, qualification routes, permitted forms of employment, and traditional areas of specialisation. This structural division carries significant

Bez względu na to, czy jesteś adwokatem, czy radcą prawnym, w pracy z zagranicznymi klientami na pewno prędzej czy później pojawi się pytanie o różnice między tymi dwoma zawodami zaufania publicznego.

Kiedyś usłyszałam żart od kolegi radcy prawnego: adwokaci mają „etos”, a radcowie „etat”. Z przymrużeniem oka, ale przyznać trzeba – coś w tym jest.

W tym tekście znajdziesz krótkie omówienie tych różnic, a także propozycje tłumaczeń obu tytułów zawodowych na język angielski. Tytuł adwokata zwykle tłumaczymy jako **advocate**. To dość oczywiste i powszechnie stosowane rozwiązanie – właśnie tak przedstawia się większość adwokatów z Europy na gruncie anglojęzycznym. Większy problem pojawia się przy tłumaczeniu tytułu radcy prawnego. Dostowne tłumaczenie **legal adviser** bywa mylące, ponieważ w niektórych krajach określa ono osoby, które ukończyły kurs w wąskiej dziedzinie prawa (np. **immigration law**) i udzielają porad tylko w tym zakresie, niekoniecznie posiadając pełne uprawnienia zawodowe.

Celem podkreślenia szerokiego zakresu kompetencji radców prawnych, Krajowa Rada Radców Prawnych przyjęła uchwałę o tłumaczeniu tytułu zawodowego: radca prawny jako **attorney-at-law**. Rozwiązanie to ma jednak pewną słabość: tytułu **attorney-at-law** używają w praktyce adwokaci w USA, więc równie dobrze mogą się nim posługiwać polscy adwokaci. W efekcie, gdy mówimy po angielsku o **advocates** i **attorneys-at-law**, może powstać wrażenie, że mamy... dwóch różnych „adwokatów”.

Dlatego alternatywą jest tłumaczenie tytułu „radcy prawnego” jako **LEGAL COUNSEL**.



implications not only for domestic legal practice but also for cross-border recognition of qualifications and accurate legal translation, especially as increasing numbers of Polish legal professionals are seeking to work in international legal settings or in UK- or US-based environments.

In Poland, to become an advocate (pol. *adwokat*) or **legal counsel** (pol. *radca prawny*), also referred to as an “attorney-at-law” (according to the official recommendation in the **resolution of the National Bar Council of Attorneys-at-Law**), and **to be eligible for** the entrance exam required to begin **professional training** (pol. *aplikacja*) at the Bar, one must hold a master degree.


The term **LEGAL COUNSEL** legal counsel may refer either to legal advice/assistance or to the person providing such advice, i.e. a lawyer. In modern professional usage, particularly in corporate and in-house contexts, Legal Counsel is also a common job title (e.g. Legal Counsel, Senior Legal Counsel, General Counsel).

As a title or role, it is typically used without an article: She is Legal Counsel at X.

The form “a legal counsel” is possible, but less common, as it treats counsel as a countable noun referring to an individual lawyer.



In the UK, solicitor qualification routes differ because the United Kingdom comprises several distinct legal systems.

In England and Wales, one does not need **to hold an undergraduate degree** (*studia pierwszego stopnia / licencjat*) in law to **qualify as a solicitor**. A candidate must complete an undergraduate degree in any subject (or an equivalent qualification), pass parts 1 and 2 of the Solicitors Qualifying Exam (SQE) , complete two years (or equivalent part-time) of qualifying work experience, and **meet the character and suitability requirements** set by the Solicitors Regulation Authority (SRA).

In Scotland, however, the route is different. Since Scots law is a separate legal system, a law degree in Scots Law (LLB) is normally required, followed by the Diploma in Professional Legal Practice and a two-year traineeship. The process is regulated by the Law Society of Scotland.

In Northern Ireland, solicitor qualification is regulated separately again, under its own system, although it resembles the pathway in England and Wales more closely than Scotland's.

Solicitors Qualifying Exam (SQE)

Definicja: Egzamin Kwalifikacyjny dla *solicitors* (*Solicitors Qualifying Exam*, SQE) to jednolity proces kwalifikacyjny wprowadzony w Anglii i Walii, który zastąpił tradycyjne ścieżki takie jak *Legal Practice Course* (LPC). Egzamin ten ma na celu standaryzację i uelastycznienie drogi do uzyskania kwalifikacji zawodowych.

Kluczowe Elementy SQE

➔ Podział na dwie części:

SQE1: Test wiedzy prawniczej w formie pytań wielokrotnego wyboru.

SQE2: Egzamin praktyczny oceniający umiejętności takie jak reprezentacja klientów, negocjacje i sporządzanie dokumentów.

➔ **Doświadczenie zawodowe:** Kandydaci muszą wykazać dwa lata doświadczenia zawodowego spełniającego wymagane kryteria (*Qualifying Work Experience*, QWE) w kancelariach lub w innych podmiotach czy instytucjach.

➔ **Wymogi etyczne:** Kandydaci są oceniani pod kątem charakteru i zdolność do wykonywania zawodu przez *Solicitors Regulation Authority* (SRA).




Interestingly, large international law firms in the UK often employ solicitors with **diverse academic backgrounds**, such as history, biology, engineering, or chemistry, finding it beneficial to have **legal experts** with knowledge in various fields.

The good news for Polish advocates and attorneys-at-law wishing to qualify as solicitors is that they are exempt from SQE2. By completing SQE1 and meeting the other requirements set by the SRA, they may be entered on the roll of solicitors and practise the law of England and Wales, including in English law firms.

Alongside the solicitor profession, the English legal system includes barristers, who represent a distinct profession. Typically, solicitors provide legal advice directly to clients, handle case preparation, and manage legal transactions. They are often described as **“first-contact lawyers,”** similar to family doctors in our jurisdiction. Solicitors represent clients in lower courts and may apply for **rights of audience** in higher courts.

Barristers, on the other hand, specialise in **court advocacy** and represent clients in higher courts, typically **upon referral from a solicitor**. This division is **a hallmark** of the UK’s split legal profession, where legal practitioners have distinctly allocated roles and responsibilities. However, there are now many **solicitor advocates** who, by holding **advocacy certificates**, have the same rights of audience as barristers.

In Poland, advocates (*adwokaci*) and attorneys-at-law (*radcowie prawni*) have independent bar associations. Both titles **confer certain legal protections**, but only if the advocate or attorney-at-law is **registered on the professional roll**, which requires completion of “*aplikacja*” – **a professional training program**  (with a final exam) that typically takes three years. Future attorneys-at-law and advocates must also be insured against professional malpractice and provide assurance of fulfilling the profession's ethical and professional standards.

Przede wszystkim, należy zaznaczyć, że termin *professional training* jest poprawnym tłumaczeniem słowa *aplikacja* w kontekście kształcenia zawodowego przyszłych radców i adwokatów. Właściwą alternatywą może być również wyrażenie *bar training*. Natomiast w przypadku słowa *application* należy pamiętać, że oznacza ono *wniosek* (np. aplikację o przyjęcie na studia).

Częstym błędem związanym ze słowem *training* jest używanie go w liczbie mnogiej w odniesieniu do szkoleń. Należy pamiętać, że *training* to rzeczownik **NIEPOLICZALNY**. Jeśli chcemy powiedzieć o kilku szkoleniach, możemy użyć np. wyrażenia **two training sessions**.




After successfully passing the exam and **being sworn in**, an individual is **eligible** to practise as an attorney-at-law or advocate.

There are also **alternative routes** to becoming an attorney-at-law or advocate that do not require completing the professional training. For example, individuals **may qualify by passing the examination without undergoing the training** or, in some cases, even without taking the examination. These alternative paths are available if specific legal conditions are met, including to individuals who have practised in other legal professions, gained substantial experience in providing legal assistance, passed an exam qualifying them for a different legal profession, or obtained certain university degrees or academic titles.

Historically, Polish advocates **specialised in** court proceedings, criminal law, commercial disputes, and family cases, while attorneys-at-law **focused on** providing legal assistance to businesses and administrative bodies. However, over the years, **amended statutes have blurred this distinction**, allowing attorneys-at-law **to serve as defence counsel in criminal cases**. Both advocates and attorneys-at-law may **appear before all courts**, including the Constitutional Tribunal and the Supreme Court. One notable difference remains: **attorneys-at-law may practise freelance or under an employment contract**, including working as in-house lawyers, while **advocates are restricted from providing legal services within the scope of an employment relationship**,

preventing them from holding in-house roles as employees. Furthermore, attorneys-at-law employed under an employment contract must refrain from representing clients in criminal cases.


Both Polish legal professionals must **adhere to their respective codes of conduct**, which emphasise **professional safeguards** such as professional secrecy, independence, and conflict of interest avoidance. Additionally, **professional indemnity (PI) insurance**  is **mandatory** for both roles, ensuring accountability and risk management in their legal services.


Ważne do Zapamiętania


Ubezpieczenie OC zawodowe (*Professional Indemnity Insurance*) a ubezpieczenie OC ogólne (*Public Liability Insurance*)

Oba terminy oznaczają rodzaje ubezpieczenia odpowiedzialności cywilnej, ale chronią przed różnymi ryzykami.


➔ **Professional Indemnity Insurance (PI)** – ubezpieczenie zawodowe, które obejmuje błędy i zaniedbania w świadczeniu usług profesjonalnych.


 **Przykład:** prawnik popełnia błąd w umowie i klient ponosi szkodę.


 **Example sentence:** *Our law firm carries professional indemnity insurance to cover any claims arising from errors in legal advice.*

 **Example sentence:** *Doctors are required to maintain professional indemnity insurance in case of malpractice claims.*

➔ **Public Liability Insurance (PL)** – ubezpieczenie ogólne, które chroni przedsiębiorcę przed roszczeniami osób trzecich za szkody na osobie lub mieniu.

 **Przykład:** klient poślizgnął się w kancelarii i złamał nogę.

 **Example sentence:** *The conference organisers purchased public liability insurance to protect against accidents at the venue.*

 **Example sentence:** *If a client slips and falls in our office, our public liability insurance will cover the compensation.*

Podsumowanie

➔ **PI** = chroni profesjonalistę przed skutkami błędów zawodowych.

➔ **PL** = chroni firmę przed roszczeniami osób trzecich za wypadki lub szkody majątkowe.



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