

LEGAL ENGLISH GUIDELINES



Asian Law Students Association
Local Chapter Universitas Airlangga

2024

2025

**Assalamualaikum Wr. Wb.,
Shalom,
Om Swastiastu,
Namo Buddhaya,
Salam Kebajikan**

First of all, I would like to express praise and gratitude to God Almighty, because With His approval and grace, the Local Board of ALSA LC Unair for the 2024/2025 period can prepare and publish Legal English Guidelines which are intended as legal English guide, intended for members of ALSA LC Unair.

Legal English Guidelines is a legal writing guide published by ALSA LC Unair. Consisting of various legal legal structures types, starting from Contract Drafting, Legal Opinion, Legal Memorandum, and others. It is hoped that this guide can become a reference and reference, as well make it easier for members of ALSA LC Unair to write.

We hope that by publishing this guide, we can improve the quality of legal English and legal writing of ALSA LC Unair members and increase the productivity of members in creating legal writing and carrying out publications on legal writing to provide benefit to society. We are very open to criticism and suggestions build on this guide. Thank you for the attention.

Leading in Unity, Succeeding as One
May ALSA, Always be One!

**Wassalamualaikum Wr. Wb.,
Shalom,
Om Shanti Shanti Om,
Namo Buddhaya.**

Forewords

El Haryo Syarief
Director of ALSA LC Unair 2024/2025





TABLE OF CONTENTS

SECTION I INTRODUCTION OF LEGAL ENGLISH.....	2
1.1. DEFINITION.....	3
1.2. THE DIFFERENCE BETWEEN LEGAL ENGLISH AND GENERAL ENGLISH... 	3
SECTION II STRUCTURE OF LEGAL WRITINGS.....	4
2.1. CONTRACT DRAFTING.....	4
2.2. LEGAL MEMORANDUM.....	5
2.3. LEGAL ESSAY.....	5
2.4. LEGAL OPINION.....	6
SECTION III LEGAL DICTIONARY.....	7



SECTION I

INTRODUCTION OF LEGAL ENGLISH

1.1. DEFINITION

Language is one of the most important things used in life. The use of language in education is very important in order to create a well-structured arrangement of words, sentences, and the content of a penum's writing or thinking. In the current era of globalization, communication skills are fundamental things that everyone must have. In communicating either in writing or verbally, one must be able to convey what is meant and the purpose of the language used. English as an international language in the world is one of the skills that everyone must have in this day.

The use of English in the legal field uses a more structured from of language o meer commonly known as "Legal English". Legal English is English that used by professional or other jobs within the scope of law. The use of Legal English compared to English in general certainly has a difference, which in me of Legal English mes several parables or terms that are often used in the field of law, such as beauty, convention, contract, aci, etc. The difference that on can see clearly is that Legal English more structured from of English, such as “consideration” in Legal English which mean consideration that can be used by someone, especially judges, in determining the solution to a dispute or problem.

The use of Legal English has an important urgency for students in Indonesia, who are often used to write legal opinion, legal memoranda, contracts, and other pieces of writing With the establishment of Legal English Guideline: A Guide to Enhance Your Legal English Skills in the first year, hopefully this guideline would be able to provide understanding, knowledge, and skills in entire forms of legal writing created by ALSA LC Unair's members to the better future of ALSA and its members.

1.2. THE DIFFERENCE BETWEEN LEGAL ENGLISH AND GENERAL ENGLISH

General English is an English language skill that is used in general both formally and informally. The use of general english is aimed a person's ability to communicate in the general public using good and correct English. Commonly, general english uses a writing structure commonly called “grammar” in composing sentences according to existing rules. It's



different with Legal English, this language is used specifically in the legal field, such as writing contracts, legal opinion, legal memoranda, or others. Due to some special words and sentences are needed in writing legal documents, for example in Legal English using the sentence *"I hereby submit several legal provisions to cancel the above case, which provisions I have duly signed"*. Meanwhile, general english uses the sentence *"I enclose the stipulation to cancel the casee that I have signed"*. In these two examples, it can be seen there is a difference between the use of sentences in Legal English which gives a more impressive impression, while in General English although formal and short sentence are not very impressive impression when the readers read that sentence. Therefore, Legal English tends to use sentences in the passive voice and uses formal and clear phrases to avoid doubt or ambiguity for others.

1.	Using of Term Formal or Technical Terminology	Termination, Agreement, Null and Void, etc.
2.	Using Multiple Pronouns or Using Two/Three Words to Express a Form or Concept Law	Terms and Condition, Agree and Covenant, Null and Void, etc.
3.	Using Words or Terms to Adjectives	The same, the said, etc.
4.	Using Word Description Pronominal which Often Used in Contract Law	Thereof, whereon, -above, -upon, -by, etc.
5.	Using Phrasal Verbs	The contracting parties, ...assign this etc indictment to the legal counsel, etc.



SECTION II

STRUCTURE OF LEGAL WRITINGS

2.1. CONTRACT DRAFTING

Contract Drafting is a form of legal drafting that involves writing contracts and legal documents in an agreement that will be made by several parties. Contract drafting is a form of legal writing that consists of legal documents and contracts that are carefully drafted by both parties to agree on something or resolve a dispute. Generally, this contract is used in the form of a business contract that contains legal planning for the benefit of oneself, clients, or institutions. The anatomy of the contract is related to the location and relationship between one part and another. The substance of the contract is the content that will be stated in the contract that will be designed by the parties. The substance of the contract is negotiated by the parties and some have been determined unilaterally by one of the parties.

In Indonesia, contract planning Art. 1320 BW regarding the validity of a contract for the parties to use. The elements are the agreement of the parties, the capacity of the parties, a certain matter, and a permissible or legitimate thing. If the contract does not fulfill one of the objective and subjective elements, the contract is null and void or can be canceled. Contract drafting contains several writing structures:

1. Introduction/Opening

- a. Title of Contract
- b. Description of the Instrument
- c. Identity of the Parties
- d. The premise of the parties who making a contract

2. Content

- a. Clause definition
- b. Purpose/Transaction Clause
- c. Specific Clause
- d. General Provisions Clause

3. Closing

- a. Concluding Remarks
- b. Signature



2.2. LEGAL MEMORANDUM

Legal Memorandum is an informal written document that contains a comprehensive report to report the results of the author's legal research of a general and broad nature. Legal Memorandum aims to provide information and results of legal analysis to fellow legal professionals with the client's point of view in order to assist the client in making decisions.

The difference between legal opinion and legal memorandum is in the subject of its creation, in legal opinion usually made by advocates to clients, while legal memorandum can be made by law students or as a form of communication in an informal work environment. Legal Memorandum writing can be written using the following formats:

Format 1	Format 2
1. Assignment Statement; 2. Legal Issue; 3. Short Introduction to Answer; 4. Legal Facts; 5. Analysis; 6. Conclusion.	1. Legal Facts; 2. Legal Issue; 3. Legal Basis; 4. Analysis; 5. Conclusion.

2.3. LEGAL ESSAY

Legal Essay is a form of writing that composed of several paragraphs containing legal analysis of a legal issue to be analyzed. Legal Essay discusses a problem from the author's point of view by basing the writing on the rules used on the problem in that country. In ALSA LC Unair, Legal Essays are not only used for writing, but also used as one of the mechanisms for selecting delegates to international events. There are several things and structure the need to be considered in Legal Essay:

1. *Essay submitted for the International Event must not contain any elements of plagiarism and must not have been previously published;*
2. *The general format of an International Event essay writing as follows:*
 - a. *Paper size: A4 (210 mm × 297 mm);*
 - b. *Font: Times New Roman, 12pt*



- c. *Justify*
 - d. *Submitted in the format of .docx*
 - e. *Margins:*
 - *Top: 4 cm*
 - *Bottom: 3 cm*
 - *Left: 4 cm*
 - *Right: 3 cm*
3. *The writing structure consists of:*
 - a. *Title*
 - b. *Author's name*
 - c. *Introduction (background)*
 - d. *Analysis*
 - e. *Conclusion*
 - f. *Bibliography*
4. *International Event essays must be written in English without using italics;*
5. *Terms of citation:*
 - a. *Using references sources from Wikipedia and/or blogs are prohibited;*
 - b. *It is mandatory to include reference sources in the legal essay using footnotes and bibliography by referring to the Oxford University Standard for Citation of Legal Authorities (OSCOLA) citation method with examples of writing as stated in the Academic Guidelines ALSA Local Chapter Universitas Airlangga;*
 - c. *Writing a bibliography is written by dividing it into sections based on the type of literature, for example books, journals, internet, etc.*

2.4. LEGAL OPINION

Legal Opinion is a set of written documents containing legal opinions related to legal issues provided by Lawyers/Advocates. The purpose of making a legal opinion is to provide views to clients on a legal problem, so they can make the right decision. Legal opinion will contain several considerations given by the lawyers regarding the existing problem, so that the client understands what step should be taken in solving the problem.



Legal opinion contains several writing structures:

1. Legal Facts

Problems or Legal Facts in the legal opinion contain facts or circumstances that have relevance to the existing problems and have compatibility with events that occur, evidence, or existing witness testimony cause basically not all problem are legal facts.

2. Legal Issues

Legal Issues are legal problems formulated briefly and precisely which will later be identified together with relevant legal regulations.

3. Legal Basis

This section is a form of collection of laws and regulations or other regulations which are usually carried out in accordance with the hierarchical order of regulations in force in Indonesia.

4. Application of Rules to Problem

The application of regulations to existing problems is an advanced stage after the identification of legal issues and legal regulations that are relevant to existing problems. In this section, the regulations used must have relevance to the existing problem limited to discussing only the rules listed.

5. Legal Analysis

Legal analysis is an assessment of problems associated with existing regulations but isn't limited to legislation. However, we can use the views of legal experts and jurisprudence. So, in this section will produce strong legal arguments to provide the author's view as a lawyer for the client concerned.

6. Conclusion and Recommendation

In this section, the conclusion contains the final results of the analysis that can be done by the client given by the lawyer as the author of the Legal Opinion, so that the conclusion can be accompanied by recommendations. However, what needs to be considered is that the conclusion shouldn't in the form of promises that will be given to the client.



**SECTION III
LEGAL DICTIONARY**

	ENGLISH	INDONESIA
1.	Absolut	Absolut / Mutlak
2.	Abstract	Abstrak
3.	Acceleration	Akselerasi atau Mempercepat Waktu
4.	Acceptance	Penerimaan
5.	Accessory	Pelaku Pembantu
6.	Ad Hoc	Dibentuk untuk satu tujuan, misalnya hakim ad hoc
7.	Addendum	Ketentuan Tambahan
8.	Ademption	Penebusan/Penukaran
9.	Administrative	Administratif
10.	Advisory	Penasihat
11.	Agreement	Perjanjian
12.	Arrest	Penangkapan
13.	Article	Pasal
14.	Assault	Penyerangan
15.	Attorney	Firma Hukum
16.	Authorities	Kewenangan
17.	Bailiff	Juru Sita
18.	Bankruptcy	Kepailitan
19.	Beneficiary	Penerima
20.	Bilateral	Bilateral
21.	Cartel	Kartel



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22.	Case	Kasus
23.	Chambers	Ruang Tertentu Hakim
24.	Complaint	Komplain
25.	Confidential	Penting
26.	Constitution	Konstitusi
27.	Corpus	Badan
28.	Culpable	Kesalahan
29.	Declaration	Deklarasi
30.	Defeasance	Penolakan / Pembebasan
31.	Dissenting Opinion	Pendapat Lain
32.	Evidence	Bukti
33.	Executory	Eksekutor
34.	Fiduciary	Fidusia
35.	Fraud	Penipuan
36.	Good Faith	Itikad Baik
37.	Guilty	Bersalah
38.	Goods	Barang/Benda
39.	Harassment	Pelecehan
40.	Hypothecate	Hipotek
41.	Illegal	Ilegal
42.	Immaterial	Imaterial
43.	Impossibility	Ketidakmungkinan
44.	Incorporate	Menggabungkan
45.	Indictment	Dakwaan
46.	Injury	Cidera



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47.	Insolvency	Insolven
48.	Interest	Bunga
49.	Irrelevant	Tidak Relevan
50.	Judicial	Peradilan
51.	Jurist	Ahli Hukum
52.	Juvenile	Remaja
53.	Kidnapping	Penculikan
54.	Labor	Buruh
55.	Legal	Legal
56.	Legitimate	Sah
57.	Lessee	Penyewa Guba Usaha
58.	Liability	Tanggung Jawab
59.	Locus	Tempat
60.	Malpractice	Malpraktek
61.	Mandatory	Kewajiban
62.	Marital Rights	Hak Perkawinan
63.	Mens Rea	Kesalahan
64.	Moot	Peradilan
65.	Negotiation	Negosiasi
66.	Novation	Novasi
67.	Occupancy	Okupasi
68.	Party	Pihak
69.	Penalty	Hukuman/Denda
70.	Presumption	Praduga
71.	Probation	Masa Percobaan



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72.	Quorum	Kuorum/Kuota
73.	Ratification	Ratifikasi
74.	Regulation	Regulasi/Aturan
75.	Restriction	Pembatasan
76.	Self-defence	Pembelaan Diri
77.	Solvency	Pembayaran Utang
78.	Tax	Pajak
79.	Term	Keadaan
80.	Tractat	Traktat
81.	Treaty	Perjanjian
82.	Tribunal	Tempat/Kursi Pengadilan
83.	Ultra Vires	Di Luar Kekuasaan
84.	Void	Batal
85.	Warrant	Surat Perintah

Lembar Pengesahan
Legal English Guidelines ALSA LC Unair 2024/2025

**Legal English Guidelines ini dibuat dan disahkan pada tanggal 25 Maret 2025
oleh Vice Director of Academic Affairs sebagai penanggung jawab.**

Director of ALSA LC
Unair 2024/2025



El Haryo Syarief

Vice Director of
Academic Affairs

A handwritten signature in black ink, appearing to read 'Qulbi Martina Hingis'.

Qulbi Martina Hingis



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