



UNIT V

BARRISTER

- A barrister is a lawyer who has reached a professional standard accepted by the Council of Legal Education. Once he has passed the law examinations of the latter he becomes a member of one of the four *Inns of Court* and is called to the Bar. He has the exclusive right of pleading in higher courts (right of audience). After years of practice he can obtain a patent appointing him Queen's (or King's) Counsel. Members of that group occupy the highest judicial posts in the land.
- In Great Britain barristers carry out only specific duties, mainly pleading in the higher courts.
- A Barrister must not be approached direct by a litigant, but can only be instructed through the mediation of a solicitor.
- A barrister is characterized primarily by the fact that he presents his client's case in court to a judge or jury; a solicitor's normal duty is to make the case ready for presentation, usually under the advice of the barrister. It is probable that originally the barrister was merely some person who was in court when the litigant's case came on for hearing, and who then volunteered to assist him. Gradually a class of persons came to be recognized as competent to be «of counsel» with litigants, and to be called «counsel». Today the authority entitled to appoint barristers by «calling to the bar» is not the court itself, but one of the four Inns of Court - Lincoln's Inn, the Middle and Inner Temples, and Gray's Inn. These are societies of barristers ruled each by their «benchers», who have very autocratic powers and are not controlled by the societies or, indeed, by any other body.

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Оглавление

3. UNIT II

4. UNIT III

5. UNIT IV

6. UNIT IV

7. UNIT V

НАЗАД

ДАЛЕЕ