



Some Aspects of English Usage in the European Order for Payment



Prof. Tim Doolittle
t.doolittle@udc.es

Sources

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- *European Small Claims Procedure: Case Study*, Dr. Ángel Espiniella, Univ. Of Oviedo (2016)
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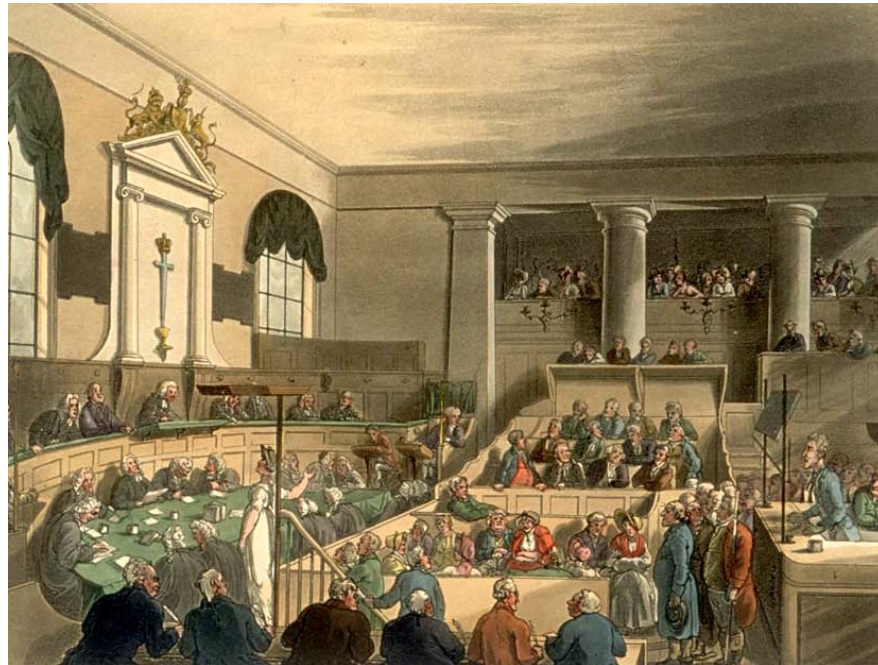
Legalese – Join the club!

- **-ese**: Portuguese, Maltese, Chinese
- jargon: **journalese**, **computerese**
- Battle of Hastings – October 14, 1066
- justice, crime, jury, pardon, indict, arrest, felon, evidence, custom, summon, authority
- power of attorney/**attorney's power?**



Suffixes from Old French (-ous, -ity, -ion, -ure/-ture, -ment, -ive, -able) and borrowings

- litigious, veracity, parity, succession, déclaration, séparación, submísson, suspénsion, rétention, disclósure, fórfeiture, árgument, júdgment, acknówledgement, législátive, debilitátive, enfórceable
- ùnderachíever, còunter-offénsive, sùpernatural, nàtionálicity



Pronounce these words with correct primary and secondary stress.

- arbitration
- attestation
- admissibility
- reimbursement
- limitation period
- periodical payments
- conflict of jurisdiction
- authentic/authenticated instrument

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- arbitration – àrbitrátion
- attestation – àttestátion
- admissibility – àdmissibíity
- reimbursement – rèimbúrsement
- limitation period – lìmitátion périod
- periodical payments – pèriódical páyments
- conflict of jurisdiction – cònflict of jùrisdíction
- authentic/authenticated instrument –
authéntic/authénticàted ínstrument

- words for law: litigation, indemnity, collusion, alimony
- words with specialized meaning in law: party, service
- words used in all contexts to mean the same: witness, judge, debt, penalty, compliance, absolution



What does this mean for you?

– written vs. spoken English

– prestige factor:

hasten – expedite

begin/start – initiate/commence

fix – resolve/amend

opening – inauguration

job – occupation

– Pardon my French! // RSVPed

– country house

hallway

man friend

girlfriend

secret meeting



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– country house = chalet

hallway = foyer

man friend = beau

girlfriend = mistress

secret meeting = rendezvous



Formality – Some characteristics of formal English, especially legalese

- preference for vocabulary of Latin (French) origin
- archaisms: *hereby, wherein, heretofore*
- lack of contractions: *it'll, they'd*
- inverted word order, phrases, and clauses
- strict observation of punctuation rules
- avoidance of *you* and *I*; *one, it, we*; infinitive, gerund: “You have to file your claim in 30 days.” // “It is necessary to...”
- hedging with modals: “It is better to...” // “It would/could be convenient to...”; “It is true that ...” // “One might conclude ...”
- Qualifiers/qualifying phrases (incl. subjunctive): “If it were possible ...”
- Preference for one-word verbs over phrasal verbs: *agree/consent to – acquiesce; fail to – default; make something void – annul; turn in – submit*
- lack of abbreviations + shortenings; repetition more common than in general English







Compare the neutral expression with its more formal version.
What do you notice?

Neutral

- 1 What do you need?
- 2 Sorry, I can't go.
- 3 Can you ...?
- 4 As for our meeting ...
- 5 I'm sorry.
- 6 Also/And

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- 1 What do you need?
- 2 Sorry, I can't go.
- 3 Can you ...?
- 4 As for our meeting ...
- 5 I'm sorry.
- 6 Also/And

Formal

- 1 Please let us know your requirements.
- 2 I am afraid that I will not be able to attend.
- 3 Would it be possible (for you) to ... ?
- 4 With reference to/Regarding our meeting ...
- 5 Please accept our apologies.
- 6 In addition/Furthermore/Moreover