

**Answer Key: Common Law vs. Civil Law**

Common Law	Civil Law
<ul style="list-style-type: none"> <li>-based on the concept of precedent</li> <li>-judges have an active role shaping the law- their decisions become precedent for future cases</li> <li>-laws created by legislators but judges interpret laws and precedent for individual cases</li> <li>-lawyers have key role in argument and in-court presentations</li> <li>-judge as “referee”</li>   <li>-origin in UK - prior to 1066, “customs”</li> <li>- William the Conqueror united customs in “common” law for the country</li> <li>-decisions of courts recorded and published - stare decisis - “let the decision stand”</li> <li>-codified laws exist as statutes</li> </ul>	<ul style="list-style-type: none"> <li>-emphasis is on codification of law - written statutes</li> <li>-codes, or statutes, establish legal procedures and punishments</li> <li>-these codes are updated regularly</li> <li>-lawyers have less central role- focus on advising clients on points of law</li> <li>-judge’s role is to establish facts of case and apply the law</li> <li>- judge as “investigator”</li> <li>-less influence over legal system than lawmakers, scholars, and legal experts</li>   <li>-origin from Roman Law</li> <li>-legal systems are entirely codified</li> </ul>

**Reference:**

Cromwell, V. 2019. “Common Law vs. Civil Law: An Introduction to the Different Legal Systems.” *BARBRI/QLTS*. <https://barbriqlts.com/common-law-vs-civil-law-an-introduction-to-the-different-legal-systems/>

Syam, P. 2014. “What Is the Difference Between Common Law and Civil Law?” *School of Law*. St. Louis, MO: Washington University. <https://onlinelaw.wustl.edu/blog/common-law-vs-civil-law/>