

BERGEN COMMUNITY COLLEGE
Division of Business, Arts & Social Sciences
Legal Studies Department

Instructor:
Telephone:
Email:
Office Hours:
Office:

Course Title: LGL-203 Paralegalism and Legal Procedures

Course Description: LGL-203 Paralegalism and Legal Procedure is a study of the role of a paralegal and other legal professionals in the legal workplace environment. Topics of discussion include methods of investigation, discovery, motions, ethics, litigation procedures, preparation of legal memoranda and other legal documents.

Prerequisites: LGL-101 Fundamentals of Law I; LGL-103 Legal Research and Writing

Credits: 3 credits (2 lab, 2 lab)

Text: *Civil Trial Preparation*, New Jersey Institute of Continuing Legal Education, Greenberg and Wolinetz (2014 or most current edition)

Recommended: *Ethics for the Legal Professional*, Orlik, Pearson, 2014 (8th or most current edition)

Supplemental Materials: To be provided by professor during the semester.

Practical Assignments: Drafting of Legal Memos, Motions, Pleadings and Legal Research pertaining to current and practical legal issues.

Learning Objectives:

1. To provide the student with the ability to recognize legal ethical issues and to determine the proper course of action when confronted with the legal ethical dilemma as required under the Rules of Professional Conduct.

Measure: Students will submit projects during intervals during the course. These projects will relate to analysis of the Legal Ethical Issues and the processes and procedures whereby these issues are recognized and the proper course

of action taken. Students will utilize textbook and case studies. Video presentation will be provided.

Standard: At least 80% of all students will receive an average grade of “70” or better on the projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

2. To provide the student with an understanding of the responsibilities of the legal professional in the workplace environment. Students will explore the opportunities of the paralegal and other non-attorney legal professionals.

Measure: Students will submit projects during intervals during the course which will require the utilization of computer assisted only and with projects that will require the integration of conventional legal research methods with computer assisted legal research skills. Projects will include legal memoranda, legal briefs, use of forms and appropriate practice aides. Students will be required to utilize their legal research and writing skills. Emphasis will also be placed on legal ethical concerns.

Standard: At least 80% of all students will receive an average grade of “70” or better on these examinations and projects. Projects will be reviewed with students and concepts reinforced. Homework assignments will be required specifically addressing this course objective.

3. To provide the student with an understanding of how Computer Assisted Legal Research applies to the New Jersey System of Legal Ethics NJ Rules of Court, the Court System and to New Jersey Legal Actions through analysis of particular rules, advisory opinions, use of forms, hypotheticals and examination of case studies.

Measure: Students will submit projects during intervals during the course which will have required ethical considerations. The ethical considerations will relate to analysis of the New Jersey State and Federal Court Systems and the processes and procedures required by the respective components of the New Jersey Judiciary.

Standard: At least 80% of all students will receive an average grade of “70” or better on these homework

assignments and projects. Projects and homework assignments will be reviewed with students and concepts reinforced.

4. To provide the student with an understanding of how and where to access the legal system in the State of New Jersey on a state and federal level and how to effectively and ethically represent the client's interests

Measure: Students will submit projects and homework assignments which will have components requiring the student to locate specific legal resources electronically and to utilize the resource cost effectively. This will include in school and off-site computer assisted legal research. Research consideration will relate to legal and factual issues as it pertains to our court system, system of ethics and its application to particular case studies. Proper citation and communication of legal authority is reinforced.

Standard: At least 80% of all students will receive an average grade of "70" or better on the projects. Projects and homework assignments will be reviewed with students and concepts reinforced.

COURSE CONTENT:

CLASS SESSION #

1. Introduction to Paralegalism and Legal Procedures – Lecture
Assignment – NJ Courts Online – Locate and Print NJ Rules of Professional Responsibility
2. Legal Ethics I – Lecture – Orlik (Intro and Ch 1 and 2). New Jersey Rules of Professional Responsibility (see NJ Court Rules)
3. Legal Ethics II – Lecture – Orlik (Ch 3-5), NJ Ethics Advisory Opinions – Locate in Library and On Line
4. Legal Ethics III – Lecture – Orlik (Ch 6-10)
Project # 1 – Research Memorandum – Legal Ethics
5. Law Office Systems and Record Keeping, the Role of the Paralegal, Legal Nurse Consultant and Non-Attorney Legal Professional in the Law Office, Initial Client Interview, Factual Analysis, Legal Research, Case Investigation Techniques and Practices (Greenberg p 1-33)
6. Principles of Litigation, Attorneys, Paralegals, Legal Nurse Consultants and Non-attorney legal professionals, Jurisdiction of the Courts, Causes of Action, Service of Process – Lecture (Greenberg p 36-121)
7. Pleadings – Complaint, Answer, Counterclaim, Crossclaim – Third Party Practice – Supplemental and Amended Pleadings. (Greenberg p 36-121)
8. Pleadings – Complaint, Answer, Counterclaim, Crossclaim – Third Party Practice – Supplemental and Amended Pleadings. (Greenberg p 36-121) – Cont'd

Project #2 – Complaint Drafting Assignment
9. Midterm Examination
Completion of Pleadings – Commencing and Defense of an Action.
10. Discovery: Interrogatories, Depositions, Requests for Admission, Demand for Inspection of Property or Things; Physical and Mental Examinations (Greenberg p 124-254)

11. Discovery: Interrogatories, Depositions, Requests for Admission, Demand for Inspection of Property or Things; Physical and Mental Examinations (Greenberg p 124-254) – Cont'd
12. Discovery: Interrogatories, Depositions, Requests for Admission, Demand for Inspection of Property or Things; Physical and Mental Examinations (Greenberg p 124-254) – Cont'd
13. Introduction to Motion Practice (role of the non-attorney legal professional - Notice of Motion, Affidavit/Certification, Brief, Order – Timing and Filing (Greenberg p. 255-298)
14. Motion Practice (Greenberg p. 255-298)
15. Evidence and the role of the Paralegal – Negotiation of Settlement (Payments, Releases, Stipulation of Settlement, Stipulation of Dismissal, Escrow Accounts, etc.), Alternative Dispute Resolution (Voluntary and Mandatory) and other Pre-trial Proceedings (Greenberg p 300-339)
16. Final Examination
Review of Projects

Evaluation:

<u>Project #1</u> – Legal Ethics	
Legal Research Memorandum	25%
<u>Project #2</u> – Complaint Drafting	25%
Midterm Examination	25%
Final Examination	<u>25%</u>
	100%

Homework:

Assignment submission may be required for course credit as assigned and required by the Professor during the semester and will be integrated into final grade pursuant to evaluation procedures listed above.

Attendance:

Will be taken at each session and is subject to the rules of the college. Attendance at lectures is imperative to acquisition and understanding of the substantive material of the course. Habitual absence (considered more than two unexcused absences) and/or tardiness may result in loss of credit for the course. Students are instructed to notify the professor prior to absences, if known and are responsible for the materials from classes which are missed. Students are required to

take all examinations on the announced date or otherwise scheduled at the discretion of the instructor. All projects and examinations must be completed for credit for the course. Late submissions will be penalized a quarter grade for each day project is late. If a student has an excused absence and misses an exam, that student must be prepared to take an exam on or before the first day of their return to class. If a student has an unexcused absence for an exam, that student will receive a zero grade for that exam. If a student misses both the midterm and the final examination that student will not receive a passing grade in the class.

Faculty absence:

A daily listing will appear in the glass case located in the front lobby of the Administration Wing of the main building which will indicate all classes which are cancelled. Another listing will appear in the glass case adjacent to the Hotel/Restaurant bulletin board in Ender Hall, Evening Division Office and the Bergen Community College website. Students should consult these bulletin boards and website before going to class.

Cell/Smart Phones:

The use of cell/smart phones and other electronic devices is not permitted in class and all students must turn off their cell phones prior to class session. Audio and video recording and photography is prohibited in class.