

PARL 215
PARALEGAL STUDIES
Fall 2009

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OFFICE HRS: M/W 10:00 a.m. - 12:00 p.m. (Appointments are recommended during office hours and required for conferences at other times.)
CLASS TIME: M/W 8:30 - 9:45 a.m.
LOCATION: SSB 250

COURSE DESCRIPTION:

Foundation course for the study of the paralegal's role in the legal profession. Explores nature, responsibilities, and ethics of paralegal activities and relationship of paralegals to lawyers, clients, and the public. Specific areas of study include statutory, regulatory, and adjudicative authorities; legal research resources, including Internet resources; litigation; real estate, business, probate, bankruptcy and intellectual property practices; and insurance issues in the practice of law. Practice in Alaska is emphasized. Skills introduced include legal research and writing, and current law office technologies, including use of data management systems, spreadsheet software, litigation support software, legal timekeeping/billing software, calendaring/docket software and case management software.

COURSE OUTCOMES:

Students will:

- understand the scope and history of paralegal practice in the United States;
- understand the relationship between paralegals and lawyers, the relationship between paralegals and the public, and the institutional authorities that regulate paralegal practice in the United States, including current developments in licensing and certification;
- be familiar with the rules of legal ethics affecting paralegal practice, the prohibitions against the unauthorized practice of law in the United States, and the guidelines for ethical behavior promulgated by the American Bar Association, the National Federation of Paralegal Associations, and the National Association of Legal Assistants;
- reflect on their own personal and cultural values and the relationship between those values and the rules of legal ethics;
- understand the broad variety of tasks performed by paralegals in the United States, the scope of government and private employment opportunities available to paralegals, and the types of work environments encountered by practicing paralegals;
- be familiar with the variety of office systems intrinsic to the practice of law, including client intake, conflicts screening, timekeeping, billing, and docketing, records organization and case management;
- acquire "hands-on" experience using various types of legal specific software available to expedite legal timekeeping, billing, docketing, case management, and client screening;
- understand the structure of legal institutions in the United States and Alaska, the

- concepts of federalism and separation of powers, and the relationship among statutory, regulatory and adjudicative legal authorities;
- be familiar with public policy governing alternative dispute resolution under state and federal law, and the critical features of the most common methods of alternative dispute resolution in contemporary legal practice;
 - recognize and appreciate disparate cultural modes of dispute resolution, including Native ways of dispute resolution;
 - understand elementary principles of legal research;
 - acquire an expanded understanding of principles of substantive law;
 - acquire experience working as part of legal team, researching and organizing rules of substantive law into a coherent presentation, and explaining legal rules and procedures to a lay audience via a verbal presentation supported by presentation software;
 - understand the elements of an efficient practice system, and acquire experience building a state-specific system;
 - develop skills foundational to conducting an effective employment search, demonstrating professional attributes to a potential employer, and successfully handling an employment interview;
 - understand the expectations legal employers have for their professional staff, and develop work habits commensurate with those expectations.

REQUIRED TEXT:

Miller & Urisko, West's Paralegal Today
Goldman, Technology in the Law office
Gibson, Wills, Trusts, and Probate Law for Paralegals

OPTIONAL TEXT:

Morton, Legal Office Procedures (7th ed. 2007)

ATTENDANCE POLICY:

Regular, punctual class attendance and participation are required. You will be held responsible on the mid-term and final exams for all material covered in class whether or not the material is included in your class text. Attendance will be taken at the beginning of each class period. Students not present when attendance is taken will be counted absent for the entire class period. Periodic unannounced quizzes may be given in class to check understanding of course materials. Quiz scores will comprise part of your class participation grade. **These quizzes may not be made up.** Any student who fails to attend at least 70% of the course meetings may be involuntarily withdrawn from the course without additional notice.

ELECTRONIC DEVICES:

The use of electronic devices to record or transmit class lectures, discussions, or other activities is prohibited. This course is taught using an interactive approach that requires frequent student participation. Not only is it generally unethical to record others without their consent, but many students are uncomfortable when asked to speak in class, and the use of tape recorders or other recording devices can significantly lower the quality of

student participation. If a disability or other unusual circumstance makes electronic recordation desirable, please see the instructor in advance so that appropriate accommodation may be made. In addition, **please turn off your telephone** and any other potentially distracting electronic devices when you come to class. This includes text messaging capability. If a family emergency requires that you leave your phone on during class please let the instructor know in advance so that an accommodation may be made that is fair to other students.

LAPTOP POLICY:

The use of laptops for the purpose of note taking or special course projects is permitted. **All other uses are prohibited.** Any student violating this policy will be asked to discontinue use of the device for the remainder of the class period. A second offense will result in the removal of the student's laptop privileges for the remainder of the semester. A student's election to use a laptop in the classroom will signify that the **student consents** to the instructor's periodic review of the laptop screen and contents for compliance with course policies. The instructor reserves the right to prohibit all laptop use for the benefit of the entire class. Students with a disability necessitating laptop use should see the instructor.

READING / HOMEWORK REQUIREMENTS:

Reading assignments must be completed prior to class to facilitate class discussion. Weekly written assignments and computer lab assignments must be completed by the beginning of class on the due date, with a grade of "pass." All **assignments must be typewritten** unless otherwise indicated.

COURSE GRADING:¹

The course grade is based on attendance, participation, satisfactory completion of homework assignments, a group presentation, two midterms and a final exam. Homework assignments are ungraded to allow you the opportunity to practice new skills without fear of penalty for mistakes. However, **all assignments must be turned in at the beginning of class on the due date.** Because compliance with deadlines is one of the most important components of your studies, **no late assignments will be accepted.**

¹ A "satisfactory" grade is a "C." To earn an "A" or "B" a student's performance must go beyond meeting the basic course requirements. As indicated in the current UAA Catalog, an "A" is an honor grade indicating a comprehensive mastery of the required work. This is "excellent" or "superior" work which demonstrates creative and analytical thinking. A "B" indicates a high level of performance in meeting course requirements. This is "above average" or "very good" work which demonstrates a significant understanding of the lecture and reading materials. A "C" indicates satisfactory completion of required work and a basic understanding of lecture and reading materials. Letter grades will correspond to the following percentages:

90-100 = A
80-89 = B
70-79 = C
60-69 = D

Each written assignment not completed and submitted by the date and time due will result in a lowering of the final course grade by five percent of the total possible course points available. Assigned group projects and presentations are mandatory. **Failure to complete and present any group assignment will result in a participation grade of zero as well as a loss of five percentage points per missed assignment or presentation from the final course grade,** as described above. **A grade of incomplete will be given only for medical emergencies or other unavoidable occurrences and only at the instructor's discretion.**

Your final letter grade will be calculated based on the following percentages: 25% class attendance and participation; 10% mandatory legal clinic presentation; 20% first mid-term exam; 20% second mid-term exam; 25% final exam; less deductions for any missing assignments. **Participation in the group legal clinic presentation is required. Students who are absent from the presentation will not receive a passing grade for the course. Any student with a medical condition or disability that prevents him or her from participating in the legal clinic should see the instructor to make alternative arrangements.**

Missed exams may not be made up. No individualized extra credit assignments will be given or accepted.

EXAMINATION PROCEDURES:

Failure to take an exam at the scheduled time will result in an exam grade of zero unless arrangements are made **in advance** to take the exam at an alternate time. An exam will be rescheduled only for serious, unavoidable occurrences. Students are expected to begin the exam at the scheduled start time, and will not be permitted to continue working past the time scheduled for completion of the exam. No student may begin work on an exam after another student has submitted the exam and left the classroom. No books, notes or consultation with others will be allowed during exams and you will not be allowed to leave the room and return to continue work on an exam. Please plan accordingly. Students who have medical or other conditions that make completion of exams within the scheduled time period difficult are encouraged to consult with the University's Disability Support Services.

ACADEMIC HONESTY:

Academic integrity is a basic principle that requires that students take credit only for ideas and efforts that are their own. Academic dishonesty (cheating) is defined as the use of unauthorized assistance to prepare materials submitted as original work. Instances of academic dishonesty will not be tolerated. Any dishonest behavior associated with your participation in this class may result in a failing grade for the course. Specific instances of academic dishonesty include, but are not limited to, the use of another's words or ideas, in whole or in part, without adequate citation; submitting your work to anyone else for review, editing or correction; and the use of electronic recording devices in class without the written permission of the instructor. You are invited to review the current catalog for further information on academic dishonesty and disciplinary procedures.

COURSE SCHEDULE:²

The schedule for course readings, assignments, and examinations is set out below. The date preceding each reading assignment is the date on which the assignment will be discussed in class. You should complete the applicable reading assignment prior to attending each class.

Schedule

- 8/24 Overview of Paralegal Careers, Associations and Employment / Film - Your Career as Paralegal / Introduction to Job Hunting Skills, Peer Networking
Reading: Miller, chapters 1 & 2.
- **New assignment (Assignment 1) - course handout:** Begin preparation of career development portfolio. Due in class 9/21.
 - **Assignment due:** None.
- 8/26 Continue Overview of Paralegal Careers and Associations / History of Profession and Role of Paralegals in Public Access to Justice / Introduction to Class Legal Services Project
- **New assignment (Assignment 2):** On the Internet, locate and bookmark the homepage of three paralegal associations: (1) the local paralegal association, (2) NALA, and (3) NFPA. Print and submit the first page of each. Due in class 9/2.
 - **Assignment due:** None.
- 9/2 Career Development in Alaska - guest speaker
Reading: Gibson, chapter 1.
- **New assignment:** None.
 - **Assignment due:** Assignment 2, paralegal association research print-outs.
- 9/7 **Labor Day – No Class**
- 9/9 Paralegal Regulation, Professional Ethics, and the Unauthorized Practice of Law / Intro to Estate Planning / Continue Work on Peer Networking
Reading: Miller, chapter 3.
- **New assignment (Assignment 3):** On the Internet, locate and bookmark the rules of professional conduct for attorneys in Alaska. Print and submit the first page. Due in class 9/14.
 - **Assignment due:** None.

² Please note that each group of students is different. To the extent necessary, the course schedule may be adjusted to allow extra time on a particular subject. The instructor reserves the right to modify or add assignments for the purpose of fostering subject mastery and to make such other changes to the syllabus as are deemed appropriate for instructional purposes. Any changes will be announced in class. Students bear responsibility for remaining informed of changes to the course schedule.

- 9/14 Continue study of Paralegal Regulation, Professional Ethics, and the Unauthorized Practice of Law / Intro to Intestate Succession
Reading: Gibson, chapter 2.
- **New assignment (Assignment 4):** Portfolio Assignment, Gibson page 26, #1. Due in class 9/21.
 - **Assignment due:** Assignment 3, first page of rules of professional conduct.
- 9/16 Continue study of Paralegal Regulation, Professional Ethics, and the Unauthorized Practice of Law
- **New assignment (Assignment 5):** Gibson, pg. 210, Continuing Cases and Exercises #4 - enter all calendar information for this class only into AbacusLaw, print month view of calendar for Sept., Oct., Nov., Dec. Due in class 9/28.
- 9/21 The Legal Workplace: Law Office Procedures / Overview of Computers in the Law Office / Ethical and Malpractice Issues Associated with E-Mail and Software Use / Basic Estate Planning
Reading: Goldman, chapter 3; Miller, chapter 4; Gibson, chapter 3..
- **New assignment (Assignment 6):** Portfolio Assignment Handout - Alaska Durable Power of Attorney and Alaska Advance Health Care Directive. Due in class 9/28.
 - **Assignments due:** Assignment 1 - Career Development Portfolio; Assignment 4.
- 9/23 Continue Study of the Legal Workplace: Legal Timekeeping and Billing / Ethical Issues Associated with Timekeeping and Billing
Reading: Goldman, chapter 9; Miller, chapter 4.
- **New assignment:** None.
 - **Assignment due:** None.
- 9/28 Continue Study of the Legal Workplace: Legal Timekeeping and Billing / Ethical Issues Associated with Timekeeping and Billing Continue study of Legal Timekeeping and Billing
Reading: Gibson, chapter 4.
- **New assignment (Assignment 7):** Portfolio Assignment Handout - Estate Planning System Submission, Checklist, and Simple Will. Due in class 10/5.
 - **Assignment Due:** Assignment 5, Abacus print-outs; Assignment 6, Durable Power of Attorney and Advance Health Care Directive.
- 9/30 Continue Study of the Legal Workplace: Calendaring, Docket Control and Case Management / Overview of Related Software / Ethical and Malpractice Issues Associated with Calendaring, Docket Control and Case Management
Reading: Goldman chapter 9.
- **New assignment:** None.
 - **Assignment due:** None.

- 10/5 Continue Study of the Legal Workplace: Calendaring, Docket Control and Case Management
 Reading: Gibson, chapter 5.
- **New assignment:** None.
 - **Assignment due:** Assignment 7, Estate Planning Portfolio - current to date.
- 10/7 Midterm Review
- **New Assignment:** None.
 - **Assignment due:** None.
- 10/12 **Midterm 1**
- 10/14 Introduction to Substantive Law Analysis / Real Estate
 Reading: Miller, pages 311-327; Gibson, chapter 6.
- **New assignment (Assignment 8):** Locate and submit the statutory outline for Alaska Statutes Title 13, Chapter 16. Due in class 10/21.
 - **Assignment due:** None.
- 10/19 Estate Planning and Probate
 Reading: Miller, pages 331-340; Gibson, chapters 7& 8.
- **New assignment (Assignment 9):** Contribute a minimum of five slide titles / topics to the Wills Seminar Wiki. Due online 8:30 a.m. 10/21.
- 10/21 Continue Estate Planning and Probate / Group Building
- **New group assignment:** Meet outside of class to finalize topic outline for Wills Seminar. Topic outline due to instructor 10/26.
 - **New assignment:** None.
 - **Assignments due:** Assignment 8, statutory outline; Assignment 9, slide titles posted to Wiki.
- 10/26 Overview of American Legal System: Sources of American law, the Court System, and Alternative Dispute Resolution
 Reading: Miller, chapters 5 and 6; Gibson, chapter 10.
- **New group assignment:** Group assign slide topics among members. Copy of assigned topics due to instructor in class 11/2.
 - **Assignment due:** Group topic outline - one copy submitted by entire group.
- 10/28 Continue Overview of American Legal System
- **New assignment:** None.
 - **Assignment due:** None.
- 11/2 Overview of Legal Research Resources (Traditional and Electronic) / Overview of Citation systems
 Reading: Miller, chapters 17 and 18; Gibson, chapter 9.
- **New assignment (Assignment 10):** Draft PowerPoint slides pursuant to group agreement. Due in class and online 11/11.
 - **Assignment due:** Group list of student slide topic assignments.

- 11/4 Midterm 2 Review
- **New Assignment:** None.
 - **Assignment due:** None..
- 11/9 Midterm 2
- 11/11 Role of the Litigation Paralegal / Manual and Computerized Litigation Support Systems
Reading: Miller, chapters 13 and 15; Goldman chapters 10-12.
- **New group assignment:** Review posted slides for omissions, improvements; make changes as appropriate. Group approved slides due in class on flash drive or CD 11/18.
 - **Assignment due:** Assignment 10, assigned PowerPoint slides.
- Power of Attorney / Advance Health Care Directives Review / Legal Clinic Preparation
- 11/16 Wills & Probate Review / Legal Clinic Preparation
- **New assignment:** None.
 - **Group assignment due:** Group approved slides.
- 11/18 Legal Clinic Presentation - **class time move to 7:30-9:00 p.m.** / location moved to Anchorage Senior Center (time and location subject to rescheduling)
- 11/23 Overview of Agency Law / Business Organizations and the Role of the Paralegal in Business Practices
Reading: Miller, pages 362-366, 376-390.
- **New assignment:** None.
 - **Assignment due:** None.
- 11/25 **UAA Holiday Break – No Class**
- 11/30 Insurance Issues in the Practice of Law
Reading: Miller, pages 302-311.
- **New assignment:** None.
 - **Assignment due:** None.
- 12/2 Course Review / Reflective Writing
- 12/7 **Finals Week Begins – No Class**
- 12/9 **Final Exam (subject to rescheduling)**