

RARITAN VALLEY COMMUNITY COLLEGE
ACADEMIC COURSE OUTLINE
ROLE OF THE PARALEGAL LEGL-101
(REVISED)

I. Basic Course Information

- A. Course Number and Title: LEGL 101 ROLE OF THE PARALEGAL
- B. New or Modified Course: Modified
- C. Date of Proposal: Semester: Spring Year: 2021
- D. Effective Term: Fall 2021
- E. Sponsoring Department: Business & Public Service
- F. Semester Credit Hours: 3.0
- G. Weekly Contact Hours: Lecture: 3.0
Laboratory: 0.0
Out of class student work per week: 6.0
- H. Prerequisites/Corequisites: None
- I. Laboratory Fees: None
- J. Name and Telephone Number or E-Mail Address of Department Chair and Divisional Dean at time of approval: Tracy Rimple, Chair Tracy.Rimple@raritanval.edu
Patrice Marks, Dean Patrice.Marks@raritanval.edu

II. Catalog Description

This course will introduce students to the paralegal profession and the basic ethical principles which control those working in the law. An examination of the legal system, with emphasis on New Jersey court structure, is included. Students will be introduced to the law library, become familiar with sources of legal authority, legal analysis and writing as well as the specific functions and duties of the paralegal within the law office.

III. Statement of Course Need

- A. This class is the initial course for both the Paralegal Studies A.A.S. Degree and the Paralegal Studies Certificate. It is an essential course that provides students with a broad-based introduction to and a functional familiarity of the paralegal career. Upon completion, the successful student will have an understanding of the legal system, as well as the proper role of the paralegal within that system and in the law office.
- B. This course has no lab component.
- C. This course will transfer into any school with a Paralegal Studies four-year degree, which includes Montclair, Thomas Edison, and St. Elizabeth College in New Jersey. It will also

transfer to any four-year institution offering an ABA approved paralegal program of study.

IV. Place of Course in College Curriculum

- A. Free Elective.
- B. This course meets a program requirement for both the Paralegal Studies AAS Degree and the Paralegal Studies Certificate.
- C. To see course transferability: a) for New Jersey schools, go to the NJ Transfer website, www.njtransfer.org; b) for all other colleges and universities, go to the individual websites.

V. Outline of Course Content

Unit I: The first section of the course will introduce students to the paralegal profession, its growth and its development.

A. Introduction

- 1. Definition of Paralegal
- 2. History and Development of the Profession
 - a. Educational training and requirements
 - b. Types of educational programs
- 3. Professional Associations

B. Legal Assistant Career

- 1. Employment Opportunities
 - a. Categories of employment
 - b. Finding a job
 - c. Preparing a resume and cover letter
 - d. Employment interview
- 2. Job Realities
 - a. The law office environment
 - b. Paralegal tasks and functions

Unit II: The next section of the course will introduce the students to the judicial system. It will include an in-depth study of both the Federal and N.J. court systems. Special emphasis will be placed on the process of handling both civil and criminal cases within the N.J. court system.

A. American Legal System

- 1. Development of Law
- 2. Forms of Law
 - a. Constitutions
 - b. Statutes
 - c. Case law
 - d. Administrative law
- 3. Classification of Law
 - a. Substantive vs. procedural
 - b. Law vs. equity
 - c. Criminal vs. civil
- 4. Objectives of Law

B. Court Structure

- 1. Jurisdiction
- 2. Federal Courts
- 3. N.J. State Courts

4. Court Officers and Their Functions

C. Initiating a Civil Court Case

1. Instituting Suit
 - a. Types of pleadings
 - b. Selecting jurisdiction and venue
 - c. Filing the complaint
 - d. Service of process
 - e. Answers and default judgments
2. Pretrial Discovery
 - a. Function and scope
 - b. Types of discovery
 - c. Pretrial conference
 - d. Settlement offers
 - e. Role of legal assistant in discovery process
3. Pretrial Motions
 - a. Purpose, format and filing requirements
 - b. Various types
4. Parts of a Trial
 - a. Voir dire and jury challenges
 - b. Opening statements
 - c. Presentation of evidence
 - d. Summations
 - e. Verdict and burden of proof
 - f. Role of legal assistant in trial preparation and at trial
5. Attacking the Verdict
 - a. Voluntary and compulsory non-suit
 - b. Directed verdict
 - c. Motion for new trial
 - d. Judgment N.O.V.
 - e. Appeal
6. Judgment and Execution
 - a. Form and entry of judgment
 - b. Execution

D. Initiating a Criminal Court Case

1. Identification and Grading of N.J. Crimes and Offenses
2. Municipal Court
 - a. Jurisdiction
 - b. Initiating cases
 - c. Trial process
3. Superior Court
 - a. Jurisdiction
 - b. Initiating cases
 - c. Pretrial process & duties of paralegal
 - d. Pretrial discovery & duties of paralegal
 - e. Pretrial motions
 1. purpose, format and filing requirements
 2. various types
 - f. Trial process & duties of paralegal
 - g. Sentencing
4. Appeals of Criminal Cases
 - a. Purpose, form and filing requirements
 - b. Limitations on types of appeal

Unit III: The next section of the course will introduce the student to the basic concepts of legal research and writing. It begins with fact analysis of legal issues, includes learning the basics of library research and ends with application of these principles

through preparation of a case brief and a memorandum of law. Students will be introduced to the RVCC law library and assignments will include hands-on use of the legal collection.

A. **Legal Analysis**

1. Fact vs. Legal Issues
2. Reading Statutes
 - a. Elements
 - b. Application to fact hypotheticals
3. Reading Case Law
 - a. Elements
 - b. Application to fact hypotheticals

B. **Legal Research** (3 hours)

1. Primary Sources for Research
 - a. Constitution
 - b. Federal & NJ State Statutes
 - c. Federal & NJ State Case Reporters
 - d. Court rules
 - e. Digests
 - f. Federal & NJ State Administrative codes
 - g. Other sources (ALR/Restatements/Legal Encyclopedias, etc.)
2. Citators
3. Library Research Exercises

C. **Legal Writing**

1. Authority
 - a. Primary vs. secondary
 - b. Mandatory vs. persuasive
2. Case Briefs
 - a. types
 - b. structure
 - c. preparation
3. Memorandums
 - a. types
 - b. structure
 - c. preparation

Unit IV: The next section of the course will introduce students to the function and duties of the paralegal within the law office. Legal interviewing, investigation of cases, gathering of evidence and litigation techniques will be explored.

A. **Legal Interviewing**

1. Purpose
2. Types of Interviews
3. Fact Gathering and the Intake Memo
4. Methodology and Interviewing Principles

B. **Legal Investigation**

1. Purpose
2. Types of Investigation
3. Process
4. Taking a Witness Statement

- C. **Gathering Evidence**
 - 1. Types of Evidence
 - 2. Relevant Evidence
 - 3. Competency of Witnesses
 - 4. Opinion Evidence
 - 5. Hearsay Evidence
 - a. Definition
 - b. Exceptions to the rule
 - 6. Privilege
 - a. Definition and use
 - b. Various types of privilege

- D. **Litigation Assistantship**
 - 1. Five Stages of Litigation
 - 2. Uses and function of Paralegal at Each Stage
 - 3. Alternatives to Litigation (Arbitration/Mediation, etc.)

UNIT V: The final portion of the course will introduce students to the ethical principles that guide the legal profession. It will include a discussion of current regulation of the paralegal profession and trends for the future.

- A. **Regulation of Legal Assistants**
 - 1. Licensure
 - 2. Certification
 - 3. ABA Model Guidelines for Utilization of Legal Assistants
 - 4. N.J. Supreme Court Committee Opinions (UPLC/Prof. Ethics, etc.)
- B. **Legal Ethics**
 - 1. Rules of Professional Court
 - a. Who is subject to rules
 - b. Sanctions for non-compliance
 - 2. Fundamental Obligations
 - a. Confidentiality
 - b. Conflicts of interest
 - 3. Duties to Client
 - 4. Fees and Record Keeping

VI. General Education and Course Learning Outcomes

A. General Education Learning Outcomes:

At the completion of the course, students will be able to:

- 1. Produce written work that reflects critical and creative thought relative to legal scenarios. (GE-NJ 1)
- 2. Develop the ability to communicate clearly and logically, utilizing both verbal and written skills, in the researching and preparation of memorandums and case briefs. (GE-NJ 1)
- 3. Assess, collect and organize information, utilizing technology and computer-based legal research to solve client problems and to create legal documents. (GE-NJ 4 & GE-NJ IL)
- 4. Recognize, analyze and evaluate the ethical principles which guide the legal profession and the behavior of paralegals. (GE-NJ ER*)

*Embedded Critical Thinking

B. Course Learning Outcomes:

At completion of this course, students will be able to:

1. Identify the trends and issues facing the paralegal profession.
2. Evaluate the appropriate relationship between the paralegal, the attorney and the client.
3. Analyze the range of ethical principles which guide the legal profession and the behavior of paralegals, including those tasks which a paralegal may and may not ethically perform.
4. Develop competency and a working knowledge of the legal system, its operation and development.
5. Describe the structure and jurisdiction of both the Federal and the N.J. court systems, and classify jurisdiction in given fact situations for each N.J. court level from municipal court through State Supreme Court.
6. Identify and explain the pleading and pretrial discovery stages of both civil and criminal suits, with special emphasis on the role of the paralegal in each stage.
7. Differentiate between the trial stages of a lawsuit including competency and preparation of witnesses, evidence and its exclusion, trial motions, case presentation to the jury, jury instructions and verdict and be able to relate the role of the paralegal in each stage.
8. Explain the process and procedure of case appeals.
9. Locate legal resources in a law library; read and comprehend statutes/cases.
10. Recognize legal issues and formulate conclusions using legal authority in briefs and memoranda.

C. Assessment Instruments

1. Examinations
2. Law library research assignments -- in teams & individually
3. Document Preparation
4. Legal research & writing assignments based on fact patterns
5. Attendance
6. Participation

VII. Grade Determinants

- A. Examinations
- B. In class Library Assignments
- C. Individual Library Assignments
- D. Case Brief Drafting & Assignment
- E. Memorandum Drafting
- F. Attendance
- G. Participation

Methods for teaching and learning:

- A. lecture/discussion
- B. small group work
- C. library research instruction
- D. computer-assisted document drafting

E. student collaboration

VIII. Texts and Materials

- A. Textbook: Statsky, Introduction to Paralegalism (Current Edition); Cengage Publishing Co.
- B. Other materials as provided by co-op employer

(Please Note: The course outline is intended only as a guide to course content and resources. Do not purchase textbooks based on this outline. The RVCC Bookstore is the sole resource for the most up-to-date information about textbooks.)

IX. Resources

This course will require use of the RVCC library and access to the internet.

