

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY  
SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline: LEGAL OFFICE PROCEDURES

Code No.: OPL 300

Program: OFFICE ADMINISTRATION - LEGAL

Semester: THREE


Date: SEPTEMBER, 1986

Author; ROSE CAICCO

New:

Revision; X

APPROVED:



Chairperson

Date

LEGAL OFFICE PROCEDURES

Prerequisites to OPL 300 IS OPL 200  
Prerequisite to OPL 300 IS OPL 400

REQUIRED TEXTS; NCTE; Text is not in print until November. The instructor will give handouts in lieu of a text until that time.

- 10,000 Legal Words, Kurtz et al
- Perpetual Desk Diary or equivalent
- Webster Dictionary or equivalent

SUPPLIES REQUIRED: -Typing Paper - letter size and legal size  
-Conveyancing Paper  
-12 file folders, file labels & carbon paper

NQOE: STUDENTS WILL NOT BE ALLOWED INTO CLASS WITHOUT ALL REQUIRED TEXTS AND MATERIALS

STUDENTS WILL COMPLETE THE ATTACHED OBJECTIVES IN ACCORDANCE WITH THE REQUIREMENT SPECIFIED AND IN ADDITION, THE FOLLOWING MUST ALSO BE COMPLIED:

- Attendance at the Court House to witness part of trial as arranged by the instructor,
- The instructor will arrange for the attendance of guest speakers at times and dates to be announced.
- Tours and field trips which will be arranged by the instructor from time to time.

N.B. Field trips and guest speakers are arranged to supplement classroom activities. Attendance is mandatory. Absence, without prior notice or just cause, will result in the loss of 10% of the cumulative semester mark.

LEGAL OFFICE PROCEDURES

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-One precedent binder for each semester which will contain at least one perfect copy of all major documents taken up during the course of the year. IT CANNOT BE STRESSED ENOUGH THAT THE STUDENT RETYPE DOCUMENTS AS THEY ARE HANDED BACK BY THE INSTRUCTOR. The binders are collected at the end of each s^nestor and a grade is assigned at that time.

Binder #2 due November 28, 1986

Binder #3 due April 10, 1987

A list of the minimum requirements for each of these binders is attached to the beginning of the objectives together with a suggested marking scheme.

•The student will hand all work in neatly in a file folder, properly labelled.

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GENERAL

OBJECTIVES;

- To make the student aware of the Legal Secretary and the various office duties.
- ^To indoctrinate the student in phases of law such as real estate, corpotation, wills, estates and civil litigation.
- To give the student the opportunity to develop a general knowledge of law and of WHY things are done, in addition to HOW they are done,
- ^To improve the student's grammar, English usage and legal vocabulary.
- ^To develop the student into a competent legal assistant-

STUraiNT EVALUATION

Typing Speed

- ^Based on three highest five-minute timings
- Student must reach a typing speed of 50 gross words per minute by the end of Semester III and 60 gross words per minute by the end of Semester IV with an accuracy level of 98% on five minute time writings.

LEX3AL OFFICE PROCEDURES

STUDENT EVALUATION (continued)

Remedial drills will be assigned as required to ensure the student achieves the speed and accuracy requirements as outlined below:

- Assignments;
- 100% completion of all assignments is expected with a passing grade in all assignments. LATELY ASSIGNMENTS NOT SUBMITTED BY DUE DATE WILL RESULT IN THE LOSS OF 10 MARKS PER ASSIGNMENT FROM THE TOTAL SEMESTER MARK.
  - Mailability or usability will be required in all document preparation and correspondence.
  - Anything which is unacceptable will be rejected and handed back to the student for reassignment
  - Marks will be deducted for any work handed in late unless the instructor is aware of a valid reason beforehand.
  - Errors include:
    - a) misspelled words
    - b) punctuation errors
    - c) unacceptable erasures
    - d) incomplete documents
    - e) unsatisfactory preparation of documents
    - f) proofreading errors
  - Depending of the severity of the error(s) work will be graded satisfactory or incomplete
  - An example of a major error in an assignment which will result in an "I" is the reversal of parties in documents, i.e. plaintiff and defendant mortgage and mortgagee, etc.
  - Another example of a major error is insertion of an improper legal description or mortgage payment clause.
  - Any combination of errors mentioned in (a) to (f) stated earlier in this section, could result in an "I".

Any work handed back with an "I" grade must be resubmitted one week after the instructor has returned it or it will be considered late and have the penalty as previously stated.

LEGAL OFFICE PROCEDURES

-The numerical equivalents corresponding to an alphabetical grade are as follows:

85% - 100% = A

70% - 84% = B

60% - 69% = C

0% - 59% = Repeat

FINAL GRACE:

-The final mark in both Semester III and Semester IV will be determined by tests as outlined in the following pages, binders, typing speed, and diaries.

SEMESTER III AND IV

Tests	-	75%
Quizzes (Unannounced)	-	5%
Binder	-	10%
Diary	-	5%
Typing Speed	-	5%
		100%

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SCHEDULE FOR  
LEGAL OFFICE PROCEDURES  
Semester III

<u>Date (appr*)</u>	<u>Objective</u>	<u>Topic</u>
Aug. 25 - Oct. 3 (5 Weeks)	50 - 54	Introduction to civil litigation - Affidavits, Pleadings, Judgments/ Orders
Oct. 6 - Nov. 14 (5 weeks)	55 - 59	Steps in Civil Litigation
Nov. 17 - Nov. 28 (2 weeks)	60	Divorce Proceedings
Dec. 1 - Dec. 19 (2 1/2 weeks)	61 - 63	Dockets, Entries, and Billing Procedures

NOTE: "Week" above refers to 6, 50 minute periods per week,

MINIMUM REQUIREMENTS FOR BINDER #2

Affidavits	all of cADJective 51
Notices & Pleadings	objectives 52 & 53
Judgments/Orders	objective 54
Notices of Action Notices of Intent to Defend, Default Judgment	objective 55 & 56
Statement of Claim	objective 57
Affidavit of Documents	objective 58
Notices, etc., Record- complete with blue back	objective 59
Divorce Proceedings	objective 60
Accounts, Ledgers, etc.	objectives 61 - 63 (include only a one page account and all of Hamilton/Brownlee objective)

**DDE CATE: Noventier 28, 1986**

**NCTIE;** For each binder, 10% of the grade will be assigned to presentation, i.e. neatness, completeness, originality, etc

OBJECTIVE 50 - INTRODUCTION TO CIVIL LITIGATION

OBJECTIVE:

The student will learn about the various courts and court officials and their respective duties and responsibilities.

The student will prepare various titles of proceedings which are most common to legal offices and will become familiar with terminology connected therewith.

The student will prepare backs for various legal documents which are most common in legal offices.

APPLICATIONS:

1. Read pages 265-286 of text
- 2- Complete pages 201-206 of workbook

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:

5 periods of 50 minutes each



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**OBJECTIVE 51 - AFFIDAVITS**

OBJECTIVE: The student will complete Affidavits for use in courts for the Province of Ontario together with Exhibits and carbon copies.

APPLICATION: 1. Read pages 287 and 288 of text  
2. Complete pages 207 - 209 of workbook

EVALUATION: All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE: 5 periods of 50 minutes each

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**TEST NO. 1**

Intro to Civil Litigation and Affidavits

OBJECTIVE:	The student will complete and pass a test from unreviewed material
APPLICATION:	Test is based on objectives 50 and 51
EVALUATION:	All work to be graded 'A', 'B', 'C or 'I'
<u>ESTIMATED TIME TO COMPLETE:</u>	2 periods of 50 minutes each

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**OBJECTIVE 52 - NOTICES**

OBJECTIVE

The student will complete some of the Notices which are most likely to be encountered in a legal office and in particular Notice of Change of Solicitors and Notices of Motion

APPLICATION:

1. Read pages 289-291, Section on Notices
2. Complete pages 211 and 212 of workbook

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:

4 periods of 50 minutes each

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**OBJECTIVE 53 - PLEADINGS**

OBJECTIVE: The student will complete a Statement of Claim and a Statement of Defence. All documents to be completed in accordance with legal typing principles.

APPLICATION: 1. Read "Pleadings" pages 291-293  
2. Complete pages 213-215 of workbook

EVALUATION: All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:

4 periods of 50 minutes each

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OBOBJECTIVE 54 - JUDGMENTS AND ORDERS

OBJECTIVE;                      The student will complete an Order and a Judgment in accordance with legal typing principles

APPLICATION:                    1. Read pages 293 and 294  
                                    2. Complete pages 216-218  
                                    Omit; It^n H, page 218

EVALUATION:                    All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:                      4 periods of 50 minutes each

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TEST NO. 2

Notices and Pleadings

<u>OBJECTIVE;</u>	The student will complete a test from unpreviewed material
APPLICATION:	Test to be based on Objectives 52 and 53 Notices and Pleadings
EVALUATION:	All work to be graded 'A', 'B', 'C' or 'I'
<u>ESTIMATED TIME TO COMPLETE</u>	2 periods of 50 minutes each

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**OBJECTIVE 55 - STEPS IN CIVIL PROCEEDINGS**

(Action) Part 1 - Notices of Action

OBJECTIVE;

The student will complete a Notice of Action for use in each of the District and Supreme Courts.

The student will complete a Notice of Action - for money only - for use in the Supreme Court of Ontario.

NOTE: These documents are referred to as Writs of Summons in the text.

APPLICATION;

1. Read pages 311-321 of text
2. Complete page 219 and 220 of workbook

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO COMPLETE:

4 periods of 50 minutes each

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OBJECTIVE 56 - SIEPS IN CIVIL UTIGK<sub>n</sub>GN

(Action) Part 2 - Responses

OBJECTIVE:

The student will prepare a Notice of Intent to Defend on a printed form and a fully typed Notice of Intent to Defend in accordance with legal typing principles

The student will complete an Affidavit of Merits, A Default Judgment and a Notice of Discontinuance in accordance with legal typing principles

APPLICATION:

Complete pages 221 of workbook

OMIT: Bill of Costs in Item 'B'

ESTIMATED TIME TO COMPLETE:

6 periods of 50 minutes each



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**GBJBCnVE 57 - STIEFS IN CIVIL VBOCEByWCS**

(Action) - Part 3, Pleadings

OBJECTIVE: The student will complete a Stat<sup>^</sup>ment of Claim, an Affidavit, a Notice of Motion, and a Statement of Defence and Counterclaim. All documents are to be coirpleted in accordance with legal typing principles

APPLICATIOJ: 1. Complete pages 225-228 of workbook  
2, Complete page 231 of workbook

EVAUJATIONi All work to be graded "S" or "I"

ESTIMATED TIME TO COMPLETE: 8 periods of 50 minutes each

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**OBJCnVE 58 - SISS IN CIVIL WCCEEDISSCS**

(Action) - Part 4, Affidavits of Documents

OBJECTIVE;

The student will complete Affidavits of Documents

The student will complete Affidavit as to the Production of Documents by an individual and an officer of a company

APPLICATION;

1. Complete pages 239-240 of workbook

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO COMPLETE:

4 periods of 50 minutes each

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**GBJECnVE 59 - STEPS IN CIVIL PROCEEDINGS**

(Action) - Part 5, Proceeding to Trial

OBJECTIVE

The student will complete a Record for use in a Supreme Court action including an index, Statement of Claim, Statement of Defence and cover in accordance with correct court procedure

The student will complete Notice of Readiness for Trial, a Notice of Listing for Trial, and a Summons to Witness

APPLICATION:

1, Pages 241-245 of workbook

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:

5 periods of 50 minutes each

**TEST NO. 3**

OBJECTIVES: The student will complete a test from unpreviewed material

APPLICATION: 1. Based on objectives 54-59

EVALUATION: All work to be graded 'A', 'B', 'C' or 'I'

ESTIMATED TIME TO COMPLETE: 2 periods of 50 minutes each

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**OBJECTIVE ND. 60 - DIVORCE PROCEEDINGS**

OBJECTIVE!

The student will complete a Notice of Motion, a Financial Statement, an Affidavit, a Notice of Listing for Trial and a Decree Nisi

APPLICATION;

1. Read pages 522-528 of text
2. Complete page 327 of workbook- Be sure to update the terminology so that it reflects the new Rules of Civil Procedures
3. Pages 329-332. Cmit record index referred to on page 329
4. Notice of Listing for Trial for Fitzgibbons divorce (not in workbook)

Decree Nisi, Use Figure 33,6 as a guide for typing principles, however, instructor will give handout with updated wording under the new Rules of Civil Procedures

EVALUATION;

All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE:

8 periods of 50 minutes each

**TEST NO. 4**

Divorce Proceedings

OBJECTIVE: The student will complete a test from unpreviewed material

APPLICATION: Based on objective 60

EVALUATION: All work to be graded 'A\*', 'B', 'C', or 'I'

ESTIMATED TIME TO COMPLETE: 2 periods of 50 minutes each

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GBJBCnVE 61 - DOCKETS AND ENTRIES

OBJECTIVE: The student will learn how to open a file and how to enter entries on a docket sheet. The student will complete receipts both for General and Trust accounts; cheque requisitions; cheques; petty cash vouchers; and telephone charges (long distance).

APPLICATION: 1. Read pages 56-78 of text  
2. Complete pages 41-45

EVAUATIOT: All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE: 5 periods of 50 minutes each

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OBJECTIVE 62 - PCCOX/TS

OBJECTIVE: The student will know how to prepare simple accounts including a chronological account, and be able to properly transfer disbursements and retainers as part of the accounts,

APPLICATION: 1. Prepare items 1-4 on page 57 in QUAEUCUPACKTE

EVALUATION: All worked to be graded "S" or "I"

ESTIMATED TIME TO COMPLETE: 4 periods of 50 minutes each

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**OBJECTIVE 63 - FCCOOtOS AND LQXXRS**

OBJECTIVE;

The student will know how to post two sirtple accounts, one dealing with a real estate trans- action and one dealing with a motor vehicle accident. The student will complete all sup- plementary documentation, i.e. telephone slips, receipts, etc. The student will also prepare an account for each of these files.

APPLICATION;

*Tyfo* attachments immediately following this page. These accounts are to be typed in original only.

EVALUATION:

All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE :

4 periods of 50 minutes each

**CBJBCnVE SB ACOODNIS AND *IBJSEBS***

This is with respect to the purchase of a piece of property frcm Ms, S. Brownlee, Prepare a client's account card to show the following entries:

- October 5 - Search 70j2f, plan \$1,50
  - Tax Certificate \$2.00
  - Sheriff's Certificate \$6,00
- 6 - Certificate of Corporate Status \$10.00
- 7 - Long Distance to Toronto \$3.83
  - Long Distance to North Bay \$2.57
- 9 - Received \$125.00 retainer fron David Frank Hamilton
- 15 - Search 50jz, instruments \$1.00
- 21 - Registration of deed \$10.00
  - Land Transfer Tax \$90.00
  - Sherriff's Certificate \$2.00
  - Search 50j^

Prepare an account to Mr. Hamilton as follows:

To professional services rendered in acting on your behalf in connection with the above noted transaction, including preparing search of title and giving opinion thereon, preparing necessary documents and registration of same, checking taxes and executions, attending at the Registry Office on closing, and reporting to you.

Our fee - \$375.00

List the disbursements posted on the ledger card, transfer the retainer and show it on the account properly. Send Mr. Hamilton the account for the balance.

**ACGDNTS AND LEIEERS**

Mr. Grant acts for Itonald Craig Anderson in connection with a motor vehicle accident. Mr. Anderson's file number is 6578.

Open an account card for this file and make the following entries:

- November 9 - Received cheque from Mr. Anderson, \$200,00 retainer.  
Mr. Anderson has requested a receipt from you.
- 11 - Prepare the necessary cheque requisition to pay Harvey Investigators Limited the sum of \$50,00 in payment of invoice no\* 7679. The cheque is to be drawn on the firm account. Prepare the cheque.
  - 12 - Paid James White \$1.05 out of petty cash for taxi fare to Queen's Printer.
  - 19 - Long distance telephone call to North Bay - \$9.87.
  - 20 - Post account for \$150.00 fees charged by Mr. Grant.
  - 21 - Transfer the retainer from the trust account to the firm account,

Prepare an account for the above. The body of the account will read as follows:

Attended by you with instructions to negotiate with insurance company with damages sustained by you in recent accident; negotiations with insurance company, when claim is subsequently settled.

# **DOCKET - AndersGn re: autanobile accicteit**

Prepare a docket which will contain the following information:

**November 1** - Interview with you discussing liability and agreed to contact insurance company 1/2 hr. **November 3** - Attending you and advising the insurance agent has opened negotiations and an appointment has been arranged for later this week to discuss the claim 1 hr. **November 6** - Attended by Mr. White of the insurance company discussing claim and spoke to you during the course of interview to verify exact time of accident. **November 9** - Received cheque for \$200.00 from Mr. Anderson as a retainer. **November 11** - Cheque requisition on the firm account to Harvey Investigators Limited for \$50,00 for payment of invoice no. 7679. **November 12** - Arranged with James White to pick up amendments to the Highway Traffic Act from the Queen's Printer. **November 19** - Attended by Mr. White at length during the course of which settlement was reached. Telephoned you to advise 1 1/2 hours.

**TEST NO. 5**

Dockets, Entries, Accounts and Ledgers

OBJECTIVE	The student will complete a test from unpreviewed material
APPLICATION:	Based on objectives 61-63
EVALUATION:	All work to be graded 'A', 'B', *C\ or 'I'
<u>ESTIMATED TIME TO COMPLETE:</u>	2 periods of 50 minutes each

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**CBJBCnVE 65 - APFIEAVrrS - AFFnftVir OF RESIDBCE AND OF  
VAU3E OF TOE CONSIDERATION**

OBJECTIVE: The student will know the purpose of the Affidavit of Residence and of Value of the Consideration as it will apply to legal documents

APPLICATION: 1. Read pages 147-158 of text  
2. Complete handout - attached

EVALUATION: All work to be graded "S" or "I"

ESTIMATED TIME TO  
COMPLETE: 4 periods of 50 minutes each

LEGAL OFFICE PROCEDURES

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

1. Mr. Christopher Graham and his wife Maxine have agreed to sell their home to Paul Williams and Judith Williams. It is known as civic number 49 St. Charles place in the City of Sault Ste. Marie. The legal description is the whole of lot 15, Chain Subd., Plan H-999. All parties are of legal age and Canadian residents. The date of the deed will be today and all affidavits will be sworn next month.

It was agreed that the sale price of the home would be \$85,000 with a \$15,000 cash down payment and a mortgage back to the vendors for the balance. There are no chattels involved\*

2. Jennifer Williams and her husband Kenneth are selling their cottage to Arthur and Vincent Hill. The legal description of this property is Part of Lot 18, Plan M-168, being Parcel 1809 Algona West Section. All parties are of legal age and Canadian residents. The transfer will be dated today and all affidavits will be sworn within the next few days.

The purchase price is \$43,250. A deposit of \$1,000 was given at the time contract was signed. The contract called for a cash down payment of \$13,250 and a mortgage to be assumed with a balance of \$30,000. including interest.

3. Bruce Jennings is selling a piece of property he purchased for investment purposes to Gordon Peterson. Both parties live in Sault Ste. Marie, and are of legal age. The property in question is Part of lot 189, Plan M-971, being the whole of Parcel 9921 in the register for Algona East Section. The documents are being typed today for signature next week.

The price involved here is \$125,000 of which \$25,000 is cash; \$75,000 is existing as a mortgage to the International Trust Company, and the balance will be by way of mortgage back to the vendor. It was also agreed that chattels would be purchased at a total cost of \$40,000.00.

4. A deed has been prepared from Margaret E. Dolan to Fred V. Saint for the North half of lot 35, White Pines Subdivision, Plan H-198. The deed is dated the 15th of last month and will be signed soon.

This is an all cash transaction. The sum of \$1,000 was paid in cash at the time the contract was signed and the balance of \$29,000 will be paid on closing.

NOTE: Mr. Grant will act for the vendors and the Smith, Fraser firm will act for the purchasers.

Make-up mailing addresses and assessment roll number.