

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

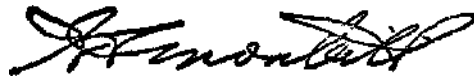
COURSE OUTLINE

Course Outline: LEGAL OFFICE PROCEDURES  
Code No.: OPL 300 (Prerequisite OPL200)  
Program: OFFICE ADMINISTRATION - LEGAL  
Semester: THREE  
Date: SEPTEMBER 1989  
Author: ROSE CAICCO

New:

Revision

APPROVED,



Chairperson

•^Date

**REQUIRED TEXTS**

- Ontario District & Supreme Court Practice, Watson & McGowan
- Legal Office Procedures, 2nd edition, Tina Kamakaris
- Working Papers for the above
- Mozley & Whitley's Law Dictionary, 10th edition, Ivamy
- Perpetual Desk Diary or equivalent

**SUPPLIES REQUIRED**

- Typing paper
- 12 file folders, file labels
- Two diskettes for IBM Compatible

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

**I. PHILOSOPHY/GOALS:**

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, corporation, wills, estates and civil litigation-

To give the student the opportunity to develop a general knowledge of law and **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-

**II. STUDENT PERFORMANCE OBJECTIVES;**

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

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**1 If a student is not in attendance, then the student will have a choice of either
- a) a loss of 10% of the accumulative semester mark (excluding tests), or
  - b) preparing a paper relating to the field trip or topic under discussion - particulars to be approved by instructor-

### **PRECEDENT BINDER**

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 semester and a grade is assigned at that time.

The penalty for handing the binder in late is 10% per day>

### **SAMPLE MARKING SCHEME**

Proofreading and spelling	5 each occurrence
Minor format errors	2 each occurrence
Major format errors	5 each occurrence
Missing documents and/or affidavits	5 each occurrence
Missing legal seals	2 each occurrence
Poor corrections	2 each occurrence
No letterhead	2 each occurrence
No envelopes	2 each occurrence

Ten percent of the grade for the binder will be assigned to presentation i.e. neatness, completeness, originality, etc.

Binder #2 due **December 1, 1989**

A list of the minimum requirements for this binder is attached to the beginning of the objectives.

**STUDENT EVALUATION**

TYPING SPEED - Based on three highest five-minute timings as follows

46 nwpm	1%	on three timings
47 nwpm	2%	on three timings
48 nwpm	3%	on three timings
49 nwpm	4%	on three timings
50 nwpm	5%	on three timings

t have a **98% accuracy** Level.

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. All work is due in the assigned class period on each simulation

Note: Daily work will be graded "mailable" or "unmailable". Throughout the semester, the instructor will randomly select approximately 15 separate pieces of work. Each will be graded "M" or "U" and 10 will count towards the final grade. Since the objective of all office work is mailable, this will be determined by the sample marking scheme shown on the previous page.

Any mailable items must receive a grade of at least 6 out of 10.

Ex. If a student has 9 out of 10 "mailable" pieces, the mark earned would be 90% which means that 90% of the work submitted was 100% mailable.

**THE STUDENT WILL HAND ALL WORK IN NEATLY TYPED, PROPERLY ASSEMBLED, AND IN AN APPROPRIATELY LABELLED FILE FOLDER,**

**Each student will be required to keep a file in a designated classroom. This will facilitate the return of assignments, grades, and delivery of messages the Office Administration faculty need to relay to the student.**

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

A+	=	90	100% (consistently outstanding)
A	=	80	89% (outstanding achievement)
B	=	70	79% (consistently above average)
C	=	60	69% (satisfactory or acceptable achievement)
R	=	0	59% (course must be repeated)

FINAL GRADE

The final mark, in Semester 111 will be determined by tests as outlined in the following pages, binders, typing speed, and diaries.

SEMESTER 111

Tests	75%
Daily Assignments	10% *
Binder	10%
Typing Speed	5%
	100%

includes a diary

NOTE: If a student is not able to write a test because of illness, or a legitimate emergency, that student must contact the instructor prior to the test (medical certificates or other appropriate proof may be required). In cases where the student has contacted the instructor, and where the reason is not classified as an emergency, i.e. slept in, forgot, etc. the highest achievable grade is a "C". In cases where the student has not contacted the instructor, the student will receive a mark of "0" on that test. THERE WILL BE NO REWRITES OF TESTS.

Test papers will be returned to the student after grading in order to permit verification of the results and to review the test. However, the student will be required to return all test papers to the instructor who will keep them on file until the end of the current semester. Failure to do so, either when the test is being conducted or after the results have been handed back, will result in a loss of 10% of the possible test mark, example, 10% if test out of 100.

## SCHEDULE FOR LEGAL OFFICE PROCEDURES

## SEMESTER 111

DATE (APPROX-)	SIMULATION	TOPIC
Sept. 5 - Sept. 20 (2 weeks)	50 - 51	Introduction to Court Systems and Civil Litigation
Sept. 21 - Oct. 19 (4 weeks)	52 - 54	Steps in Civil Litigation and Intro to Rules of Civil Procedure
Oct. 20 - Dec. 5 (6 weeks)	55 - 60	Pleadings and Trial Proceedings
Dec. 6 - Dec. 22	61 - 62	Divorce Proceedings

TESTS

No. 1 - Simulation 50 - 51	- Chapter 6 and 7
No. 2 - Simulation 52 - 56	Chapter 8
No. 3 - Simulation 57 - 59	Chapter 10 and 11
No. 4 - Simulation 60 - 62	Chapter 12 and 14

## MINIMUM REQUIREMENTS FOR BINDER NO. 2

All of Simulation 52	Civil Litigation re M, V. A.
All of Simulation 53	- Statement of Claim, etc.
All of Simulation 54	Affidavit of documents, Affidavit of Service by mail, Notice of Examination for Discovery, etc.
All of Simulation 55	Record, Solicitor's Certificate of Trial Record, Notice of Readings for Trial, etc.
All of Simulation 56	Judgment, Bill of Costs, etc.
All of Simulation 57 & 58	Pleadings
All of Simulation 59 & 60	Notice of Application; D.C.O. and S.C.O. Affidavit, Judgment, Record, etc.
All of Simulation 61	Divorce

N.B. All precedents must be retyped and be 100% accurate. Any precedents provided from your textbook must also be retyped using the typing principles studied in class.

**Due Date: December 1, 1989**

## SIMULATION 50

## INTRODUCTION TO COURT SYSTEMS

**OBJECTIVE**

The student will be introduced to the various court systems/levels as well as the legal directories which list the court officials.

**APPLICATION**

1. Read Chapter 6 - Page 76-91
2. Complete review questions, page 90 and 91 of text

Complete page 63 and 64 of simulation binder

**N.B. Summary convictions changed to \$1000 from \$200.**

**ESTIMATED TIME  
TO COMPLETE:**

5 Hours to complete



## SIMULATION 51

## INTRODUCTION TO CIVIL LITIGATION

**OBJECTIVE:** The student will be introduced to the Rules of Civil Procedure as well as to the various ways of serving, filing and issuing documents.

**APPLICATION:**

1. Read Chapter 7 of text - pages 92-112
2. Complete review questions - pages 111 and 112 of text
- 3, Complete attached handout

**ESTIMATED TIME**  
**TO COMPLETE:** 4 Hours to complete

**SIMULATION 51**

**INTRODUCTION TO CIVIL LITIGATION**

Prepare a title of proceedings for an S-C.O. trial which started in Sault Ste. Marie last week. John Doe and Robert Smith are the plaintiffs and George Brown and William Jones are the defendants - The court file number is 37246. Name the document Statement of Claim.

B. Prepare the appropriate endorsement page for the above -

A. Prepare a title of proceedings for a District Court trial which was given the number 459830/87 in Sault Ste. Marie. The plaintiff is identified as Harold Richard Black and the defendants are The Humber Manufacturing Company, George James Johnston, John Earl Jackson and Martin Desmond Smith.

The name of the document is Notice of Change of Solicitors.

B. Prepare an endorsement page for the above.

Mr- Redford is acting for the plaintiff

## SIMULATION 52

## CIVIL LITIGATION PROCEDURES

**OBJECTIVE**

The student will commence work on a civil litigation file, namely, a motor vehicle accident

**APPLICATION**

1. Read Chapter 8 of text - pages 113-119
2. Complete page 67 items B & C and item "D" on page 68

**NOTE:** The fee for a search is now \$5.00

Be sure to use your diary in place of tickler system for all important dates

**ESTIMATED TIME  
TO COMPLETE:**

5 Hours to complete

**SIMULATION 53**

**STATEMENT OF CLAIM AND NOTICE OF ACTION**

**OBJECTIVE**                   The student will be introduced to the originating documents in a civil action. The student will also prepare documents for issuing and serving-

- APPLICATION:**
1. Read Chapter 8 pages 120-124 of text
  2. Complete items "E" (a to d) on page 68 of simulation text

NOTE: You will need to refer to document 8.1(1) and 8.1(2) in Supplies section

**ESTIMATED TIME**  
**TO COMPLETE:**           5 Hours to complete

## SIMULATION 54

## AFFIDAVIT OF DOCUMENTS AND SERVICE OF DOCUMENTS

OBJECTIVE           The student will continue with the required procedures in the civil litigation case involving a motor vehicle accident\*

APPLICATION        1. Complete page 68 "G" (a-c) of simulation text (refer to item "F" for information)

                      Complete item "H", page 68

ESTIMATED TIME  
TO COMPLETE:       5 Hours to complete

## SIMULATION 55

## PROCEEDING TO TRIAL

**OBJECTIVE:** The student will prepare a variety of documents in preparation for trial - record/ notice of readiness for trial, requisition, notice of listing for trial and a summons to witness.

**APPLICATION**

- 1, Read Chapter 8, pages 124-138 of text
2. Complete page 69, item "I" (a-e) and item "J" and "K"

N-B. Retype Jury Notice and Statement of Defence before putting into Final Record

**ESTIMATED TIME**  
**TO COMPLETE:**

6 Hours to complete

## SIMULATION 56

## THE TRIAL, JUDGMENT, BILL OF COSTS

**OBJECTIVE**

The student will learn the procedures followed to set an action down for trial/ procedures at the trial/ how judgments are prepared/ and how costs are awarded.

**APPLICATION:**

1. Read Chapter 8, pages 139-143
2. Complete review questions page 143 and 144 of text  
  
Complete items "L" (a-c) and "M", page 69 of simulation text

**ESTIMATED TIME  
TO COMPLETES**

5 Hours to complete

**SIMULATION 57**

**COUNTERCLAIMS**

**OBJECTIVE:** The student will be introduced to pleadings which make claims against plaintiffs-

**APPLICATION**

1. Read Chapter 10, pages 159-163 of text
2. Complete page 80, item 10.1 of simulation text

**ESTIMATED TIME TO COMPLETE:** 4 Hours to complete



## SIMULATION 58

## REPLY AND DEFENCE TO COUNTERCLAIM

<b>OBJECTIVE</b>	The student will be introduced to pleadings which involve the addition of a second title of proceedings as well as Third Party Claim.
<b>APPLICATION</b>	Read Chapter 10, pages 163-165 of text  2, Complete page 82, item 10.2 and 10-3 of simulation text  3. Review questions page 172 of text  N.B- Backdate 1983 by three years from current year and 1984 by two years
<b><u>ESTIMATED TIME TO COMPLETE:</u></b>	5 Hours to complete

## SIMULATION 59

## CIVIL LITIGATION - APPLICATIONS

**OBJECTIVE**

The student will be introduced to lawsuits brought about under applications/ i.e. the Change of Name Act.

**APPLICATION**

- 1 - Read Chapter 11, pages 173-185
2. Complete pages 85, 11.1, A-E only
3. Review questions, pages 187-188 of text

**NOTE:** Be sure to refer to supplies section for draft documents. Also, read notes on pages 85 and 87 of simulation text.

**ESTIMATED TIME  
TO COMPLETE:**

6 Hours to complete

**SIMULATION 60**

**CIVIL LITIGATION - MOTIONS**

**OBJECTIVE**                   The student will be introduced to motions as will be commonly found in both actions and applications.

- APPLICATION**
1. Read Chapter 12, pages 189-200 of text
  2. Complete 12.1 and 12,2
  3. Review questions, pages 200 and 201 of text

**ESTIMATED TIME**  
**TO COMPLETE:**               5 Hours to complete

**SIMULATION 61**

**DIVORCE**

**OBJECTIVE:** The student will be introduced to the documents which may be found in a divorce by default-

- APPLICATION:**
1. Read Chapter 13 and 14 of text, pages 202-232
  2. Complete page 96, 14.1 A-F of simulation text

**ESTIMATED TIME**  
**TO COMPLETE:** 5 Hours to complete

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SIMULATION 62

OBJECTIVE	Continuation of previous simulation
APPLICATION	1, Complete page 96, 14.1, G-K of simulation text -  2. Complete review questions, pg. 200 and 201 of text.
<u>ESTIMATED TIME TO COMPLETE:</u>	6 Hours to complete

**SIMULATION 63**

**PERPETUAL DESK DIARY**

**OBJECTIVES**                   The student will demonstrate the ability to record entries in a perpetual desk diary in a professional and businesslike manner.

**APPLICATION**                Proper records will be kept of appointments (dentist, doctor, counselling, placement, guest speakers, etc.) as well as test/assignment dates, tours, etc.

Any changes or cancellations are to be recorded using proper techniques which will be discussed in class.

Entries will be made under each day (not by week), and, if applicable, corners will be "clipped".

Students are reminded that this is a business diary and personal entries are not acceptable.

**ESTIMATED TIME  
TO COMPLETE:**

On a continuous basis for the entire fall semester