

SAULT COLLEGE OF APPLIED ARTS & TECHNOLOGY

SAULT STE. MARIE, ONTARIO

COURSE OUTLINE

Course Outline LEGAL OFFICE PROCEDURES

Code No.: OPL 400

Program: LEGAL SECRETARIAL

Semester: FOUR

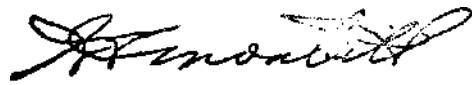
Date: JANUARY, 1986

Author: ROSE CAICCO

New

Revision: ^

APPROVED;



Chairperson

Date

LEGAL OFFICE PROCEDURES

Semesters III & IV

Prerequisites to OPL 300 IS OPL 200

Prerequisite to OPL 300 IS OPL 400

- REQUIRED TEXTS:
- Procedures for the Legal Secretary - Revised Edition, Elsie Schwartz
 - ^Workbook and papers for the above
 - 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
 - Duo Tangs - 8 1/2 x 14 (one for each of semesters III & IV)
 - 12 file folders, file labels & carbon paper

NOTE: 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 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. **Absence, without prior notice or just cause, will result in the loss of 10% of the cumulative semester mark.**

LEGAL OFFICE PROCEDURES

SEMESTERS III & IV

- 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.

Binder //2 due November 29, 1985

Binder /³ due April U, 1986

A list of the minimum requirements for each of these binders is attached to the beginning of the objectives to^gut[^]rr- with a suggested marking scheme.

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

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 st-udent into a competent legal assistant.

STUDENT 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.

LEGAL OFFICE PROCEDURES

SEMESTERS III & IV

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.
DAILY 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, mortgagor 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

Semesters III & IV

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

85% - 100% = A

70% - 84% = B

60% - 69% = C

0% - 59% = Repeat

FINAL GRADE:

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 :

SEMESTER III AND IV

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

SCHEDULE FOR
LEGAL OFFICE PROCEDURES

Semester IV

<u>Date (appr.)</u>	<u>Objectives</u>	<u>Topic</u>
Jan. 6 - Jan. 31 (4 weeks)	64 - 67	Introduction to Real Estate
Feb, 3 - Feb. 21 (3 weeks)	68 - 70	Mortgages, Charges, Repayment privileges
FEB. 24 - 28 - WINTER SEMESTER BREAK		
Mar. 3 - Mar. 11 (1 week)	71	Discharges & Cessations (including assignments and partial dis- charges)
Mar. 12 - April 16 (5 weeks)	72 - 76	Vendor & Purchaser transactions (in- cluding reporting out)
April 17 - April 24 (1 week)	77	Mortgage transaction
April 25 - May 2	78 - 79	House lease, Chattel Mortgage, Financing Charge Statement

CONVOCATION - SATURDAY, MAT 10, 1986

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

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MINIMUM REQUIREMENTS FOR BINDER n_^

Deeds

Land Transfer

Mortgage With Spousal Consent) Be sure to vary these to
) show one with amortized
) payments; one
 Mortgage Without Spousal Consent) principle plus interest;
) one blended payments

Charge in Land Titles

All Discharges and. Cessation of Charge

Complete Transaction: Acting for the Purchaser
 Acting for the Vendor

Reporting to the Purchaser

Acting for the Mortgagee

Chattel Mortgage

House Lease

For either binder, add any work you wish by way of handouts, business law material, or anything you feel will assist you in your career.

MARKING SCHEME:

Proofreading: -5 each occurrence

Major set-up errors: -3 each occurrence

Spelling: -2 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

10% penalty for each day late

OBJECTIVE 64 - LEGAL DESCRIPTION

OBJECTIVE: The student will know how Co type metes and bounds descriptions in an acceptable form in accordance with legal typing principles.

The student will know the difference between the Registry Office system and the Land Titles system as they apply to the Province of Ontario,

APPLICATION: 1. Read pages 112-122 of text
2. Complete pages 117-122 of workbook

NOTE: Add the following as terms to be defined

aa)' condominium

bb) search

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

ESTIMATED TIME TO COMPLETE: 5 periods of 50 minutes each

OBJECTIVE 65 - AFFIDAVITS - AFFIDAVIT OF RESIDENCE AND OF
VALUE OF THE 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: U Read pages 147-158 of text
2. Complete handout - attached

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

ESTIMATED TIME TO TO
COMPLETE: 4 periods of 50 minutes each

TEST NO. 6

Legal descriptions. Affidavit of Residence, etc

OBJECTIVE	The student will complete and pass a test of unpeviewed material.
APPLICATION	Test to be based on objectives 64 and 65
EVALUATION;	All work to be graded 'A', 'B', 'C', or 'I
<u>ESTIMATED TIME</u> T& COMPLETE:	2 periods of 50 minutes each

LEGAL OFFICE PROCEDURES

AFFIDAVIT OF RESIDENCE AND OF VALUE OF THE CONSIDERATION

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,

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 H-168, being Parcel 1809 Algouaa 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.

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 Algouaa 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.

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.

OBJECTIVE 66 - DEED WITHOUT SPOUSAL CONSENT

OBJECTIVE: The student will understand the meaning of spousal consent•

The student will complete two deeds without spousal consent in proper legal form, ready for registration in the Registry Office.

APPLICATION

1. Read pages 159-174 of text
- 2, Complete pages 131, 135, 139 E and G only, 140 and 141 of workbook
3. Prepare Affidavits of Value of Consideration, remembering that these are not inserted in deeds. Prepare in triplicate.

EVALUATION:

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

ESTIMATED TIME TO
COMPLETE:

7 periods of 50 minutes each

**OBJECTIVE 67 - DEED WITH SPOUSAL COSSEHI
- TRANSFER (LAND TITLES ACT)**

OBJECTIVE The student will prepare a deed with spousal consent in accordance with The Registry Act and in accordance with legal typing principles

The student will prepare a land transfer under The Land Titles Act in accordance with legal typing principles.

PREPARE IN TRIPLICATE

APPLICATION Complete pages 133 and 137

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

ESTIMATED TIME TO
COMPLETE: 5 periods of 50 minutes each

TEST MO. 7

Deeds/Transfers

OBJECTIVE

The student will complete and pass a test of unpreviewed material.

APPLICATION:

Test is based on objectives 66 and 67

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 68 - REPAYMENT CLAUSES

OBJECTIVE The student will understand the most common repayment clauses that he/she will encounter in a legal office with particular emphasis being put on the amortized clause and the blended payment clause.

APPLICATION 1. Read pages 186-212 of text
 2. Complete pages 153-158 of workbook

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

ESTIMATED TIME TO 4 periods of 50 minutes each
COMPLETE:

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OBJECTIVE 69 - MORTGAGE AND CHARGE WITHOUT SPOUSAL CONSENT

OBJECTIVE The student will prepare a mortgage and a Charge without spousal consent and will also be able to select the proper repayment clause for each document together.

APPLICATION: Complete pages 159 and 162 of workbook

NOTE: a) change payments Co \$375.00 monthly (blended) on page 162, All other terms remain the same. A handout, to be used as a guide will be handed out by the instructor. (East and Woodworth)

b) printing error in description - use "Unit 15, Level 3".

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

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ESTIMATED TIME TO COMPLETE: 5 periods of 50 minutes each

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OBJECTIVE 70 - MORTGAGE WITH SPOUSAL CONSENT

OBJECTIVE	The student will complete mortgages with spousal consent and will also be able to understand and complete the proper mortgage repayment clause which will be required for each of the mortgages
APPLICATION	1. Page 160 - Consider Mrs. Longfellow as owner of the property 2. Page 161
EVALUATION:	All work to be graded "S" or *'!
<u>ESTIMATED TIME</u> TO COMPLETE:	5 periods of 50 minutes each

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TEST NO. 8

Mortgages/Charges

OBJECTIVE The student will complete and pass a test on unpreviewed material.

APPLICATION Test to be based on objectives 68-70

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 71 - a) Discharge of Mortgage
b) Discharge of Assignment of Mortgage
c) Partial Discharge of Mortgage

OBJECTIVE

The student will understand the meaning of a discharge of mortgage, a discharge of mortgage and subsequent assignment and a partial discharge of mortgage.

The student will be able to complete each of the above in accordance with legal typing principles.

APPLICATION:

1. Study pages 237-238 of text
2. Complete page 187
Complete page 189 (D only)
3. Complete handout to be distributed by instructor for a partial discharge of mortgage

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NOTE: For Anderson/Peterson Balloil document, use the following registration particulars:
Reg. Dec. 17/80 at 11:25 a.m. as
No. T-359072

EVALUATION

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

ESTIMATED TIME TO
COMPLETE:

4 periods of 50 minutes each

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OBJECTIVE 72 - CESSATION OF CHARGE

OBJECTIVE:

The student will understand the meaning of a Cessation of Charge under the Land Titles Act.

The student will be able to complete a Cessation of Charge in accordance with legal typing principles.

APPLICATION:

1. Study pages 132-134 of text
2. Complete page 189E and 189F of workbook

NOTE: - There is an error in the workbook.
Get all the required information from the charge in the textbook.

- Use July 3 as date of charge

EVALUATION:

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

**ESTIMATED TIME TO
COMPLETE:**

2 periods of 50 minutes each

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TEST NO. 9

OBJECTIVE: The student will complete and pass a test on unreviewed material.

APPLICATION; Test to be based on objectives 71 and 72 (Discharge & Cessations)

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 73 - STATEMENT OF ADJUSTMENTS

OBJECTIVE

The student will be able to complete a statement of adjustments setting out the purchase price, the deposit, any adjustments for fire insurance, taxes, local improvement charges, mortgages, rental, utilities, or any other adjustments which the instructor may feel are related to a statement of adjustments.

The student will be able to prepare an undertaking for readjustments in transactions when one is necessary.

APPLICATION

1. Study pages 213-217 in text

2. Complete pages 173-178 of workbook

N.B.: Change closing date on Hartwood and Harvey Agreement of Purchase and Sale from the "1st of the next month" to the "2nd day of April" (page 149 of workbook).

Also, check per diem rate on mortgage statement. Should read \$11.27 per day, not \$4,18.

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EVALUATION:

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

ESTIMATED TIME TO
COMPLETE:

6 periods of 50 minutes each

OBJKCTIVE 75 - ACTING FOR THE PURCHASER

OBJECTIVE

The student will be able to prepare all the necessary documents and letters which will be required in a simple purchase transaction, including ordering a search of title, mortgage documents (if applicable), ordering of tax certificates and any other certificates or relevant material.

APPLICATION

1. Read pages 126-131 of text
2. Re-type contract on page 149
3. Complete page 148
- 4- Complete all necessary documentation for Hartwood p.f. Harvey contract as shown on page 149 of workbook

NOTE: Fees as follows:

- Tax Certificate - \$10.00 per lot
- Certificate of Conformity:
 - \$20.00 in Toronto
 - \$5.00 in Saut Ste. Marie

EVALUATION

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

ESTIMATED TIME TO
COMPLETE:

7 periods of 50 minutes each

OBJECTIVES 78 - HOUSE LEASE

OBJECTIVE: The student will understand the purpose of a lease and in particular, a house lease, The student will be able to calculate payment dates under a lease and will become familiar with some of the legal terminology.

APPLICATION: 1, Study pages 258-264
2, Complete page 197 (A) only of workbook
3- Complete page 200 of workbook

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

ESTIMATED TIME TO TO
COMPLETE: 2 periods of 50 minutes each

OBJECTIVE 79 - CHATTEL MORTGAGE

OBJECTIVE: The student will understand the meaning of a Chattel Mortgage and the required supporting affidavits. The student will also understand a Financing Change Statement and will be able to complete this accurately.

APPLICATION This objective is not in the workbook and a handout will be distributed by the instructor

Study page 184 of text

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

ESTIMATED TIME TO
COMPLETE: 3 periods of 50 minutes each

OBJECTIVE 76 - REPORTING LETTERS

OBJECTIVE: The student will prepare a complete reporting letter to the vendor and also to the purchaser and will understand the meaning of a certificate of title. The student will also prepare the necessary account and trust statement, together with any insurance transfers.

APPLICATION 1, Complete page 179

NOTE: Item D of page 179 refers to BellV'sj^- sale to Little, adapt this letter to report out on Howard sale to Scott (refer to page 233 of text) ^

For an example of a purchaser's reporting letter, refer to page 229-232 of text and do report on Hartwood p-f. Harvey.

EVALUATION, All work, to be graded "S" or "X"

ESTIMATED TIME TO
COMPLETE: 6 periods of 50 minutes each

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TEST NO. 11

OBJECTIVE^: ^	The student will complete and pass a test based on unreviewed material.
APPLICATION;	Test is based on objective 75 (Purchase Transaction)
EVALUATION	All work to be graded 'A*', 'B'» 'C or 'X'
<u>ESTIMATED TIME TO</u> COMPLETE:	2 periods of 50 minutes each

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OBJECTIVH 77 - ACTING FOR THE MORTGAGEE

OBJECTIVE -The student will complete all the documents and correspondence related to an actual application for a mortgage loan from the time it reaches the solicitor's office to the final report on title to the mortgages-

APPLICATION This objective is not in the textbook and a handout will be distributed by the instructor.

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

ESTIMATED TIME TO TO
COMPLETE: 6 periods of 50 minutes each