Course Number/Title: MFC 332 – Introduction to Paralegal Principles (4 cred)
Semester/Year: Fall 2016
Class Day/Time: online
Class Location: www.UBLearns.buffalo.edu
Format: Lecture / Web Course
Prerequisites: None
MFC Faculty: O.A. Possé, Esq.
Office Phone: 716-829-2904
Email: oaposse@aol.com
Website: www.buffalo.edu

COURSE DESCRIPTION

This course presents introductory concepts of law and legal practice with emphasis on the paralegal’s role. The paralegal field is highly rewarding for those who seek to be a part of the justice system. A well trained and competent paralegal is the attorney's right hand. A paralegal is almost a junior attorney since the paralegal must know a lot of what the lawyer knows and can draft legal documents for attorney approval.

Paralegals must be detail driven, and they follow up on communications, check court dates, check client backgrounds, oversee client relations, law office to law office relations, check every detail and every reference in all documents, research applicable laws and case references, and prepare court documents. Trial paralegals also prepare case interrogatories, file with opposing counsel for discovery, prepare clients for deposition and accompany the attorney to court.

Although the work is highly detailed, in practice a paralegal's work is not secretarial and many have equal use of their attorney's secretary. Some paralegals also have legal assistants, such as junior paralegals, to whom they may delegate details of their responsibilities. This Introductory Paralegal Studies Course is designed to give you the information and basic skills that are needed be a successful paralegal. This course is designed to provide the student with an overview of the law, the legal
profession and the paralegal’s role in the delivery of legal services, as practiced in the state of New York.

**Course Learning Objectives** - After successfully completing the lessons and assignments for this online course, this is what students will be able to do:

- Recognize and distinguish between common law and case law.
- Explain the historical basis of our present legal system.
- Recognize and explain the concept of judicial review.
- Distinguish the function of trial courts from that of appellate courts.
- Explain the concept of subject matter jurisdiction.
- Compare and contrast the order and proceedings of civil and criminal trials.
- Recognize and describe the relationship between torts and crimes.
- Explain distinctions between intentional torts, negligence & strict liability.
- Compare and contrast actual, punitive and nominal damages.
- Distinguish between comparative negligence and contributory negligence.
- Explain criminally culpable mental states and relationship to punishments.
- Explain the statute of limitations as it applies to crimes committed in New York.
- Discuss accessory liability.
- Explain the distinction between felonies and misdemeanors.
- Explain the distinctions between parole, probation, and clemency.
- Explain arraignment.
- Explain the significance of the Miranda warning.
- Explain the justification of attorney-client privilege.
- Compare and contrast litigation, arbitration and mediation.
- Identify the rules that punish professional misconduct by attorneys.

**Learning Outcomes:**

After studying the material presented in this course of study, the student will be able to do the following:

- Read and analyze diverse primary legal sources carefully and accurately, with attention to the author’s perspective, position, and to the source’s general context.
- Be familiar with legal research methods and legal terminology.
- Read, evaluate, and summarize court opinions (i.e. write case briefs), and be able to analyze the authors’ arguments for relevant evidence, context, and strength.
- Draft a legal writing project (memo or term paper) and make clearly written and logically organized arguments that are well supported by primary sources.

**Competencies / Instructional Method / and Assessment of Student Learning:**

Students are expected to login to UBLearns on a regular basis to review the course syllabus, check course announcements & assignments, etc. Students are expected to complete and submit assignments as directed to verify that they have read and understood the course material.

The course includes a set of quizzes and briefing assignments, plus a midterm and a final exam to assess chapter material. Students will also submit a final written project (term paper or law memo) to complete course requirements. Students are expected to login to the course at least once per week to check course announcements, etc.

Final grades are based on the following: Quizzes, Mid Term Exam & Final Exam = 50%, Term Paper or Law Memo = 25%, Case Briefing Assignments = 25%.

**Textbook /Equipment /Required Technologies:** The book for this course is *The Interpretation and Application of Law: Assignment Casebook - SECOND EDITION*, by O.A. Possé, Esq.

**Course Requirements and Assignments:** This course contains the following assignments:

**Intro Writing Assignment, Quizzes & Self-Paced Quizzes**

**Intro Writing Assignment:**

Voir Dire Exercise. Has a specific & early due date posted in the Announcement section each semester.

**Intro Quizzes:** The intro quizzes have a specific & early due date which is posted in the Announcement section each semester. The intro quizzes are Quizzes 1, 7 & 8.

**Self-Paced Quizzes:** The remaining quizzes are self-paced.
**Intro Case Brief & Monthly Case Briefs**

**Intro Case Brief:** The intro case brief has a specific & early due date which is posted in the Announcement section each semester. *People v. Singh* on pages 379-382 of your textbook.

**Monthly Case Briefs:** I will post a briefing assignment at the end of the first and third month of the semester (with deadlines for completion) and they (along with the other assigned case briefs) are worth 25% of your final grade. You will have roughly one week to complete each future / monthly briefing assignment.

**Term Paper:** The term paper assignment is case law briefing and analysis project. The term paper is due by the last day of the semester. That date will be posted in the Announcement section.

**Midterm Exam:** This assessment will be made available for a 48 hour period of time at the semester mid-point over a weekend. There is no make-up midterm exam. I will proctor the exam in real-time via the UBLearns system. Students must work alone on the exam. The dates will be posted in the Announcement section.

**Final Exam:** The final exam has 2 parts. It will be made available for a 48 hour period of time at the end of the semester over a weekend. There is no make-up final exam. I will proctor the exam in real-time via the UBLearns system. Students must work alone on the exam. The dates will be posted in the Announcement section.

**Case Briefing Assignments** – See the posted Assignment & Announcement Sections every semester for specific cases to brief and specific due dates, etc.

**Case Briefing Quizzes** – In addition to briefing certain cases, quizzes will be posted that will test your understanding of any cases assigned for briefing. Again, please see the posted Assignment & Announcement Section every semester for specific cases that are quizzed and specific due dates. The quizzes associated with
the case briefs will also change every semester, depending on which cases have been assigned for you to brief.

**Midterm Exam & Final Exam** – The dates for these assessments will be posted each semester in the Announcement section. These assessments will be given over a specific 48 hour period, over a weekend, and I will proctor them (in real time) online via the UBLearns system. Students must work alone on all assessments (quizzes, midterm & final).

**Note:** There are no make-up midterm or final exams. The dates for the exams will be posted at the start of the semester and you are responsible for planning ahead. If an emergency prevents you from taking these exams you must be able to document it. An “emergency” is not a: vacation, sporting event, job obligation, lack of textbook, etc.

**Units/Lessons**

Lesson 1: Introduction to Tort Law / Common Torts & Defenses  
Lesson 2: Introduction to Estate Law / Estate Planning Outline  
Lesson 3: Introduction to Contract Law  
Lesson 4: Paralegal & Attorney Rules of Ethics  
Lesson 5: Case Law: Briefing Cases  
Lesson 6: Civil Litigation (Pleadings, Discovery & Stages of a Civil Trial)  
Lesson 7: The American Litigation System  
Lesson 8: Introduction to Criminal Law  
Lesson 9: Legal Analysis / Introduction to Legal Research / Blue Book Citation  
Lesson 10: Pleadings & Motions  
Lesson 11: Introduction to Real Estate Law  
Lesson 12: How to Study Law  
Lesson 13: Time Management & The Billable Hour  
Lesson 14: Legal Terminology

**Course and Instructor Evaluation:** Millard Fillmore College will distribute an instructor and course evaluation following the last day of class and after final exams have been completed.
**Grading:** Approximate cut points are as follows:

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<th>Percent</th>
<th>Letter Grade</th>
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<tr>
<td>94 - 100</td>
<td>A</td>
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<tr>
<td>90 - 93</td>
<td>A-</td>
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<td>87 - 89</td>
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<td>83 - 86</td>
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**Communication:** Our primary source of communication for this course will be by email. Students taking an online course are expected to login a minimum of once per week for course announcements, assignment updates, etc.

**Faculty/Instructor:** I can be reached by email with questions or for guidance that are concerned with this course. I will respond within 48 hours.

**Students:** Your UB email is the account that I will use to send course-related materials.

**Netiquette:** This course may utilize UBLearns to facilitate online communication between course participants. Please keep in mind the following “Rules of Netiquette” when communicating online.

- The rules of the classroom are the same regardless of location. When communicating online you must respect your professor and fellow students. You are communicating with a real person, not a computer screen.
o Remember your audience. When sending email to your professor, please refrain from using “text speak”. Also, stay away from using all capital letters; it will appear as if you are shouting.

o Avoid strong language. Language can be easily misinterpreted in an online setting. Review your work before submitting it to avoid strong, offensive or sarcastic content. Be as straightforward and professional as possible.

o Read everything, twice. Read all material and instructions carefully before you begin to work on assignments, quizzes, etc. You may have missed an important detail the first time you read. If you are still having difficulties, then email your professor.

o Review all material before submitting it. On discussion boards, read previous postings to avoid duplicating someone else’s comments. Also, write and save your work first. In case of technical issues, you will have a backup copy.

Policy Regarding Absences, Attendance, Assignments, Tests and University Policy Regarding Grades of Incomplete in Courses.

- Class Attendance and Absences: Students should login at least once per week to update themselves as to new course announcements, due dates, etc.

- Late Assignments: All assignments are due at designated times and due dates. No late assignment will be accepted and you will be issued a grade of ZERO unless you have a documented illness or emergency. If there are circumstances that will prevent you from turning in an assignment when due, you must discuss the situation with your professor prior to the due date.

- Quizzes and Exams: Quizzes and exams are all taken online for this course on specifically designated dates which are posted in the announcements each semester.

- Policy on Incomplete Grades: A final grade of incomplete will only be issued if there are extenuating circumstances (i.e. severe illness) that prevent the student from completing the course. The student must have satisfactorily completed all coursework and successfully passed all
assessments up until the time that the incomplete is requested. See http://undergrad-caatalog.buffalo.edu/policies/grading/explanation.shtml

- **University Policy on Incomplete Grades:** See http://undergrad-catalog.buffalo.edu/policies/grading/explanation.shtml

A grade of incomplete (“I”) indicates that additional course work is required to fulfill the requirements of a given course. Students may only be given an “I” grade if they have a passing average in coursework that has been completed and have well-defined parameters to complete the course requirements that could result in a grade better than the default grade. An “I” grade may not be assigned to a student who did not attend the course. Prior to the end of the semester, students must initiate the request for an “I” grade and receive the instructor’s approval. Assignment of an “I” grade is at the discretion of the instructor.

The instructor must specify a default letter grade at the time the “I” grade is submitted. A default grade is the letter grade the student will receive if no additional coursework is completed and/or a grade change form is not filed by the instructor. “I” grades must be completed within 12 months. Individual instructors may set shorter time limits for removing an incomplete than the 12-month time limit. Upon assigning an “I” grade, the instructor shall provide the student specification, in writing or by electronic mail, of the requirements to be fulfilled, and shall file a copy with the appropriate departmental office.

Students must not re-register for courses for which they have received an “I” grade.

The “I” must be changed to a grade before the degree conferral date if the student plans to graduate in that semester. At any time prior to the default date, students may elect to change the “I” grade to the default grade using the Grade Retrieval Form.

A default grade can be “B+,” “B,” “B-,” “C+,” “C,” “C-,” “D+,” “D,” or “F.” (If a student selected an S/U grading option, it will replace the default letter grade when the grade defaults.)

- **Disability Policy:** If you have any disability which requires reasonable accommodations to enable you to participate in this course please contact
the Office of Accessibility Resources, 25 Capen Hall, 645-2608, and also the professor of this course during the first week of class. ODS will provide you with information and review appropriate arrangements for reasonable accommodations. http://www.ub-disability.buffalo.edu/

- **Academic Integrity:**

See http://undergrad-catalog.buffalo.edu/policies/course/integrity.shtml

_Preamble:_ Academic integrity is a fundamental university value. Through the honest completion of academic work, students sustain the integrity of the university while facilitating the university’s imperative for the transmission of knowledge and culture based upon the generation of new and innovative ideas. When an instance of suspected or alleged academic dishonesty by a student arises, it shall be resolved according to the following procedures. These procedures assume that many questions of academic dishonesty will be resolved through consultation between the student and the instructor (a process known as consultative resolution, as explained below). It is recommended that the instructor and student each consult with the department chair, school or college dean, or the Office of the Senior Vice Provost for Academic Affairs if there are any questions regarding these procedures.

**Examples of Academic Dishonesty:** Academic dishonesty includes, but is not limited to, the following:

- *Previously submitted work.* Submitting academically required material that has been previously submitted—in whole or in substantial part—in another course, without prior and expressed consent of the instructor.
- *Plagiarism.* Copying or receiving material from any source and submitting that material as one’s own, without acknowledging and citing the particular debts to the source (quotations, paraphrases, basic ideas), or in any other manner representing the work of another as one’s own.
- *Cheating.* Soliciting and/or receiving information from, or providing information to, another student or any other unauthorized source (including electronic sources such as cellular phones and PDAs), with the intent to deceive while completing an examination or individual assignment.
• **Falsification of academic materials.** Fabricating laboratory materials, notes, reports, or any forms of computer data; forging an instructor’s name or initials; resubmitting an examination or assignment for reevaluation which has been altered without the instructor’s authorization; or submitting a report, paper, materials, computer data, or examination (or any considerable part thereof) prepared by any person other than the student responsible for the assignment.

• **Misrepresentation of documents.** Forgery, alteration, or misuse of any University or Official document, record, or instrument of identification.

• **Confidential academic materials.** Procurement, distribution or acceptance of examinations or laboratory results without prior and expressed consent of the instructor.

• **Selling academic assignments.** No person shall sell or offer for sale to any person enrolled at the University at Buffalo any academic assignment, or any inappropriate assistance in the preparation, research, or writing of any assignment, which the seller knows, or has reason to believe, is intended for submission in fulfillment of any course or academic program requirement.

• **Purchasing academic assignments.** No person shall purchase an academic assignment intended for submission in fulfillment of any course or academic program requirement.