WINTER Quarter 2010
Para 88 - 2 Units


OFFICE HOURS: 10:00 – 11:00 am Tuesday in Room L13. Also, by appointments as needed.


COURSE DESCRIPTION: Examination of the role of the paralegal in the legal system, as well as the ethical rules and guidelines governing legal professionals.

COURSE OBJECTIVES: To provide an understanding of the role of a paralegal in various legal and non-legal settings; identify the source of rules for professional responsibility as well as locate appropriate rules for specific factual situations; explain what constitutes the unauthorized practice of law; describe various types of conduct that create a breach of client confidentiality; explain how conflicts of interest arise for paralegals; identify the types of ethical problems related to collection of attorney fees and handling of client funds; analyze factual situations involving potential ethical problems; consider possible solutions to ethical dilemmas; and describe sanctions for violating the rules of professional responsibility.

GRADING POLICY: The final grade is the cumulative number of percentage points each student achieves on the following exams and assignments, given the percentage weight as indicated:

<table>
<thead>
<tr>
<th>Assignment</th>
<th>Percentage of Final Grade</th>
<th>Due Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UPL Assignment</td>
<td>15%</td>
<td>Due 1/14/10</td>
</tr>
<tr>
<td>Quiz – True/False</td>
<td>15%</td>
<td>Due 1/21/10</td>
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<tr>
<td>Ad Assignment</td>
<td>10%</td>
<td>Due 1/28/10</td>
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<tr>
<td>Take Home Final Exam</td>
<td>50%</td>
<td>Due 2/11/10 no later than 11:45 AM</td>
</tr>
<tr>
<td>Class participation</td>
<td>10%</td>
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Grading scale:
100–93 = A
86–83 = B
75–70 = C
62–60 = D-
92–90 = A-
82–80 = B-
69–67 = D+
59–0 = F
89–87 = B+
79–76 = C+
66–63 = D

NO LATE ASSIGNMENTS WILL BE ACCEPTED, AND THERE WILL BE NO MAKE-UP EXAMS.

ATTENDANCE: Attendance is required. Class participation is encouraged. Class participation and attendance will be factored into the student’s final grade. A sign-in sheet will be provided at every class session and each student is required to sign in at every class.
ASSIGNMENTS: Both reading and writing assignments are required for this class. Some of the assignments will be done in class, others will be assigned as homework. All written homework assignments must be typed, numbered, all pages stapled together with your name on all pages. Unless specifically advised otherwise, all work must be your own. Absent, exceptional reasons, late papers are not accepted. If a student cannot attend a class during which a paper is due, the paper must be emailed or left in my mailbox PRIOR to beginning of class on the due date. (Instructor is sole judge of exceptional reasons.) Any student who fails to turn in two assignments or misses more than 3 classes will not receive a passing grade in the class.

Drop Policy: If a student is present the first day of class and thereafter wishes to drop the course, the student must take responsibility for completing all paperwork. Instructor will not take care of this for the student. However, instructor reserves the right to drop any student who misses 2 classes without contacting the instructor or fails to turn in 2 consecutive assignments. There is no guarantee however, that the instructor will exercise this right to drop a student. If the student wishes to be sure that he is dropped from the class without penalty then it is up to the student to take all necessary steps. Failure to do so may result in the student receiving an “F” grade in the class.

POINTS TO REMEMBER:

Dropping the Class: Students who drop the class or stop attending MUST process the appropriate form(s) through the Admissions and Records office in order to avoid receiving an “F” in the class. It is the student’s responsibility to confirm the last day to drop the class and have the proper paperwork timely completed and submitted.

Cheating Policy: Cheating and/or plagiarism will be considered student misconduct. All quotes, sentences and other material obtained through other resources, book, internet, etc. must be properly identified and cited. If a student presents any plagiarized work as their own, they will be immediately dropped from the class. Additionally, if a student is caught cheating in any other way, they will be immediately dropped from the class. Further discipline may occur.

Recording and Notes: Audio recording of the lectures is generally allowed, however, students may not duplicate the recordings or duplicate and sell notes or records of the lecture(s). If a student is found to have duplicated and/or sold notes and lectures, they will be immediately dropped from the class and further discipline may occur.

Reasonable Accommodations: Please contact the college’s administration regarding any documented disabilities that require reasonable accommodations.

Cell Phones and Pagers: Cell phones, blackberries and other electronic devices must be turned off or on silent mode during the class.

Classroom Conduct: Students are expected to participate in class discussions. Everyone is expected to treat each other with respect therefore rude and inappropriate behavior will not be tolerated.
## “The PARALEGAL & PROFESSIONAL RESPONSIBILITY” SYLLABUS

<table>
<thead>
<tr>
<th>DATE</th>
<th>TOPIC</th>
<th>ASSIGNMENT</th>
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<tbody>
<tr>
<td>Week 1</td>
<td>Regulation of Lawyers and Paralegals; Unauthorized Practice of Law</td>
<td>Chapters 1 &amp; 2</td>
</tr>
<tr>
<td>Week 2</td>
<td>Confidentiality; Conflicts of Interest;</td>
<td>Chapters 3 &amp; 4</td>
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<td>UPL Assignment Due 1/14</td>
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<tr>
<td>Week 3</td>
<td>Advertising &amp; Solicitation; Fees and Client Funds</td>
<td>Chapters 5 &amp; 6</td>
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<td>QUIZ 1/21/10</td>
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<tr>
<td>Week 4</td>
<td>Competence; Special Issues in Advocacy</td>
<td>Chapters 7 &amp; 8</td>
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<td>Ad Assignment Due 1/28/10</td>
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<tr>
<td>Week 5</td>
<td>Professionalism and Special Issues for Paralegals; wind-up and review; questions and answers; <strong>DISTRIBUTE TAKE-HOME FINAL EXAM</strong></td>
<td>Chapter 9</td>
</tr>
<tr>
<td>2/11/10</td>
<td><strong>TAKE HOME FINAL EXAMINATION DUE AT OR BEFORE 11:45 AM ON 2/11/10 IN PERSON (ROOM L21) OR BY EMAIL. STUDENTS MAY ALSO PUT THE EXAM IN INSTRUTOR’S MAILBOX BEFORE 11:45 AM on 2/11/10.</strong></td>
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* Instructor reserves the right to change these dates.*
ASSIGNMENTS

All assignments must be typed, and include your name and page numbers (if multiple pages). If the assignment consists of multiple pages or includes copies/attachments, all pages must be stapled together, or bound.

UPL Assignment: Research the answers to the following questions. You may attach any supporting documentation you believe is relevant. Include citation to all authority you reference or rely on for your answer.

1. Does the state of California have a definition of the practice of law?
2. If so, where is it located (statute, court rule, or case) and what does it state?
3. What does the ABA Model Code state about the “practice of law”?
4. Who has the power to discipline a California attorney? By what authority?
5. In California, what 8 things are paralegals specifically prohibited from doing?

Ad Assignment:

1) Prepare an advertisement for the mythical law firm of “Black, White and Gray, LLP” that complies with California’s laws. The law firm specializes in Bankruptcy, Family and Criminal Law. Be creative!

2) Prepare a narrative of how and why the ad complies with California law, what laws you relied on (be specific), where you would advertise with this ad (i.e. print, phonebook, tv, radio, etc.) and why that would be the most appropriate medium.