

LS- 201: Introduction To Law -Outline/ Study Guide

I. What is Law?

- A. Law- Governmental control of societal members through rules
 - 1. Substantive Law - What behavior is being controlled.
 - 2. Procedural Law- How a "court" determines how laws are enforced (court rules, rules of procedure)

II. The Paralegal Profession

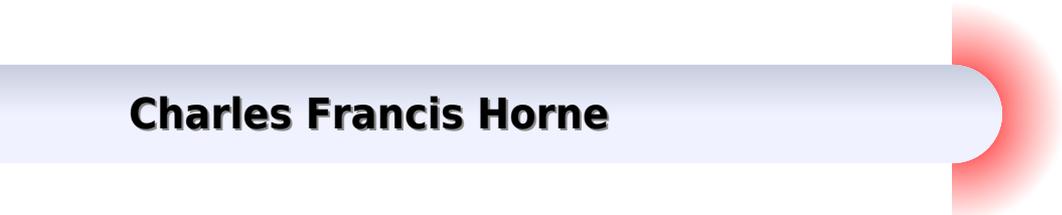
- A. What is a paralegal?
 - 1. their duties are more than traditional legal secretaries/file clerks.
 - 2. American Bar Association Definition
 - 3. History of the paralegal profession
 - 1960's- Need for more access/lower cost for legal services
 - 4. National Paralegal Associations
 - 5. Employment:
 - 6. Other Law-Related Professionals
 - a. Document Preparers:
 - 1. It is acceptable to help enter information
 - 7. Education for Paralegals
 - a. No formal requirement to attend any type of educational institution.
 - b. ABA approved educational programs-
 - c. Not required but preferred by some employers
 - 8. Certification
 - a. being formally recognized by a nongovernmental organization for having met special criteria
 - b. voluntary certification for paralegals
 - 9. Licensing
 - a. No state has yet licensed paralegals
 - b. Different than Attorneys
 - 10. Billing for Paralegal time
 - a. *Missouri v. Jenkins* (1990)
 - 1. Attorneys can bill clients for paralegal time on paralegal tasks
 - 11. Paralegals can appear in limited proceedings:
 - a. Unemployment Hearings/Social Security Hearings
 - 12. Legal Research (for paralegals/ attorneys)
 - a. *Stare decisis*-
 - 1. let the decision stand-
 - 13. Unauthorized Practice of Law
 - a. Paralegals Cannot- Provide legal advice/ submit pleading

III. Legal Ethics

- A. Definition: Code of conduct governing proper professional behavior
 - 1. Model Rules of Professional Conduct
 - a. Issued by American Bar Association (ABA)
 - 2. Type of Professional Conduct in the Rules
 - a. Client contact
 - b. Charging fees
 - c. Advertising
 - d. Conflicts of Interests

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