

**MIAMI-DADE COMMUNITY COLLEGE
LEGAL ASSISTANT PROGRAM**

COMPETENCY STATEMENT

PLA 2003-Fundamentals of Law

Course Description:

This course provides an introduction to the American legal system. It explores the historical development of law, the sources of law, and the structure of the court system. It examines substantive and procedural law and the differences between civil and criminal law. It discusses the ethical responsibilities of paralegals, attorneys, and judges. It also covers the development of the paralegal career field, employment opportunities, and professional associations.

Credits: 3

Prerequisites and co-requisites: ENC-1101, English Composition.

Course Competencies:

Competency 1: The student will understand the structure of the legal system in the United States.

The student will be able to:

- A. Identify the role of law in society.
- B. Describe the historical development of law in the U.S. and explain the meaning of common law and stare decisis.
- C. Identify the various schools of legal thought and their present day significance.
- D. Explain the different foundations of the law such as the constitutional, statutory, judicial and administrative sources.
- E. Identify the differences between procedural and substantive law.
- F. Describe the remedies provided by a court of law and a court of equity.
- G. Analyze the distinctions among the three-tier court system for both the federal and state level and describe the workings of the local court system.
- H. Explain the jurisdictional limits in federal and state courts.
- I. Distinguish between civil and criminal proceedings and their different burdens of proof.
- J. Discuss the roles of judges, attorneys and paralegals.

Competency 2: The student will understand the boundaries and dynamics of the legal assistant career field.

The student will be able to:

- A. Explain the duties and responsibilities that can be delegated to legal assistants within various specialty fields of law.
- B. Describe the confidential nature of the legal profession and the ethical standards required of lawyers and paralegals.
- C. Explain the difference between a generalist and specialist paralegal program.
- D. Describe the importance of systems, forms and checklists in paralegal employment.
- E. Identify potential areas of employment in both the public and private sector.
- F. Identify the different paralegal associations, licensing issues, certification programs and other paralegal support networks and mechanisms.
- G. Analyze and apply the different Code of Ethics for the ABA, NALA and NFPA to real life ethical hypothetical scenarios involving the ethical responsibilities of paralegals.
- H. Compare the titles used to describe paralegals.
- I. List the two major national paralegal associations and explain the distinctions between them.
- J. Describe the paralegal job market and current trends.

Competency 3: The student will develop critical thinking and legal analysis skills.

The student will be able to:

- A. Discuss legal research and writing principles.
- B. Identify the different parts of a legal case including the citation of a case.
- C. Analyze and decipher judicial interpretation of case law.
- D. Explain the case briefing method including summarizing the facts in a case, the legal issues before the court, the conclusion and legal analysis of a judicial opinion.
- E. Demonstrate the fundamental principles of judicial interpretation including statutory interpretation, stare decisis and basic legal terminology.
- F. Demonstrate how to identify, classify and summarize legal facts and issues.
- G. Prepare case briefs utilizing legal analysis and critical thinking skills.

Competency 4: The student will understand the primary areas of law practice and the role of the paralegal in such areas.

The student will be able to:

- A. Explain the role of the paralegal in the following practice areas:
 - 1. Criminal
 - 2. Torts
 - 3. Family
 - 4. Real Estate
 - 5. Contracts
 - 6. Estates and Trusts
 - 7. Corporate
 - 8. Bankruptcy
 - 9. Litigation
 - 10. Administrative
- B. Describe the litigation process.
- C. Explain the different steps in litigation.
- D. Identify different alternative dispute mechanisms and their role in the legal system.

Rev. 4/03