

GRANDE PRAIRIE REGIONAL COLLEGE
OFFICE ADMINISTRATION

COURSE OUTLINE

OA 2350: CIVIL LITIGATION PROCEDURES

INSTRUCTOR:

Cindy Gerritsen
Office: C-213
Office Phone: 539-2971
Home Phone: 539-5574
Email: cindygerritsen@GPRC.ab.ca
Office Hours: Monday & Wednesday: 8:30-9:30
Tuesday & Thursday: 10:00-11:00
Friday: 11:30-1:00
Or by appointment

TEXT:

OA 2350 Civil Litigation Procedures Course Notes and Precedents.
Legal Assistant Program Data Disk.
Alberta Rules of Court
Black's Law Dictionary, Abridged 6th Edition, West Publishing Co.
Department of Office Administration Formatting Guide

PREREQUISITE:

OA 2310 and OA 2320, or permission of instructor.

SUPPLIES:

3 disks (disk holder recommended)
Precedent Manual from LOP 1 (3" 3-ring binder)
Client Index Box from LOP 1
One binder for class materials and notes
3 legal sized file folders

**COURSE
DESCRIPTION:**

This course will focus on contested and uncontested actions. They will learn the steps in each type of litigation matter, from the opening of a file, to recording services and disbursements incurred on the file, to obtaining Judgment, and collecting and enforcing Judgment. The

course will also cover setting an action down for trial, preparation of the trial book, and the Judgment granted. Finally, the students will cover the process and procedures for Appeals.

In each type of action, the students will be able to accurately prepare all necessary documents required, apply the rules and procedures set out in the *Alberta Rules of Court*, and understand and know the steps that are to be taken, and what must be completed prior to taking the next step.

**COURSE
OBJECTIVES:**

Upon completion of this course, the student will be able to

1. prepare all documents required for contested and uncontested actions for civil suits over \$75,000;
2. apply the requirements provided in the *Civil Enforcement Act*, as the statute relates to collecting judgment by way of garnishment and seizure, including the accurate preparation of all documents required;
3. prepare all documents required to appeal a Judgment, and understand the process to be followed for an Appeal;
3. understand and apply the procedures set out in the *Alberta Rules of Court*, to contested actions, uncontested, actions, and appeals
4. understand the process and prepare accurate documents for going to trial, including the preparation of a Trial Book,
5. accurately record legal services provided, and all disbursements incurred on all files;
6. apply standard records management procedures when classifying, organizing, storing, retrieving, and naming electronic files for clients;
7. continue to build on the precedent manual started in Legal Office Procedures I, by including all assignments, error-free, assigned during this course, under the correct section.

ATTENDANCE:

Attendance is mandatory. If you are ill, you must notify your instructor. More than 3 missed classes will result in a recommendation of being debarred from any exam. On the advice of the instructor and with concurrence of the Department Chair and the Registrar, a student may be disbarred from an examination when attendance requirements are not met. Students debarred from an examination on the basis of attendance will be given a grade of zero on the exam.

GRADING:

Daily attendance is essential for successful completion of course material.

Late assignments will receive a penalty of -2, per page, for each day late.

Assignments must have a document code in order to receive a grade.

Missed assignments will receive a grade of zero.

If you miss an exam, there are no make-ups. Missed exams MAY be added to the final exam, with permission from the instructor. A missed exam without the instructor's PRIOR knowledge, will receive a grade of zero.

The student is responsible for the maintenance of assignment mark sheets.

Your final mark will be determined as follows:

1.	Records Management	5%
2.	Production Assignments	20%
3.	Theory Exams	10%
4.	Production Exams	20%
5.	Precedent Manual & Client Index Box	10%
6.	Final Production Project	<u>35%</u>
		<u>100%</u>

Records Management is graded as follows:

- At the beginning of each theory and production exam, you will have to hand in your student data disk containing all assignments completed for that module, as well as your file register, invoice register if applicable, and your client index box.

2. I will choose 3-5 assignments, prior to the class, that I will search for on your disks. Each assignment is worth a total of 10 marks.
3. If I cannot find it within 20 seconds, you will receive a grade of zero (0) for that assignment. If I can find it, you will receive 10/10.
4. Your client index box must contain index cards for all new clients for that module, and are to be error-free. I will choose 3-5 clients prior to the class, that I will search for in your index box. Each will be worth 5 total marks. If I cannot find it within 20 seconds, you will receive a grade of zero (0) for that assignment. If I can find it, you will receive a 5/5. If I happen to come across a client index card containing errors on it or is misfiled, 1 mark will be deducted for each one found.
5. Your file register must be up-to-date, with no errors. It must be neat and legible. One mark will be deducted for each error, messy whiteout, for example, and illegible text. The file register is marked out of a total of 10.

Marking of Assignments and Production Exams is as follows:

1. Each page of each assignment is worth a total of 10 marks.
2. An original submission with no errors will receive a mark of 10 per page. If there are any errors, even one, it will be returned, with no mark, for it to be redone, along with a mark sheet for that assignment. The mark sheet **MUST** be handed in with the second submission to receive a mark of 10 on perfect pages completed on the first submission.

Upon the second and last submission, if there are no errors, a mark of 7 is assigned. If it still contains errors, the grade can range from 0-6, depending on the deductions received.

3. Deductions are as follows:

(a)	Failure to submit assignment (each page)	10
(b)	Failure to include part of a document	5
	e.g., Backer	
	Affidavit of Execution	
(c)	Calculation errors	5
(d)	Spelling, proofreading, and capitalization errors	2
(e)	Formatting error	3
	e.g., Used left justification instead of full justification	
	Paragraphs not indented 10 spaces/not numbered	

- | | | |
|-----|--|---|
| (f) | Omission of necessary information
c.g. Attention or subject lines in letters
Special notations | 3 |
| (g) | Failure to follow specific instructions | 3 |

Final Production Project:

1. A comprehensive production exam, covering all major documents covered in the course. Students will complete the project during class time only. Student disk and materials will not leave the classroom.
2. Students can use any class notes, precedents, etc., in completing the assignment. However, they cannot ask a question of another student, or of the instructor.
3. Duration of the exam will be approximately 10 hours.
4. The project is marked in the same manner as production assignments and exams.

**OA 2350 CIVIL LITIGATION PROCEDURES
COURSE OUTLINE ADDENDUM
LEARNING OUTCOMES**

in accordance with

CANADA COUNCIL'S CRITICAL EMPLOYABILITY SKILLS

Preamble

A review of Canada Council's Critical Employability Skills has produced a set of 22 learning outcomes. In order to enhance the probability that employability skills will be given the emphasis they deserve in this course, these learning outcomes are being included as part of the course outline.

Learning Outcome	Evidence for Employability Skill Portfolio	C=Skill learned in content P= Skill is practiced A= Skill is assessed	Assessment
Utilize active listening skills to accurately condense and record verbal information, instructions, & ideas	Correctly completed, error-free assignments.	C P A	Precedent Manual, a collection of all error-free assignments completed during the course
Select, apply, and adapt computer software tools such as word processing, to business related tasks	Any error-free legal document prepared	C P A	Precedent Manual, a collection of all error-free assignments completed during the course.

Learning Outcome	Evidence for Employability Skill Portfolio	C=Skill learned in content P= Skill is practiced A= Skill is assessed	Assessment
Define and solve problems, both independently and in teams, using a variety of creative problem-solving approaches	Samples of documents prepared in completing the final project.	C P A	Final grade on the final project as indicated on Mark Sheet all error-free documents.
Apply standard records management procedures when establishing and maintaining systems to classify, organize, store, and retrieve hard copy and electronic files.	All assignments contain the correct path and filename. Printout of directories.	P A	Easy and quick access to files The 20-second rule is applied when searching for a particular file.
Achieve business standards for efficiency and quality of work.	Initials on error-free assignments.	P A	Documents are assessed based on using correct format and producing it error-free.
Locate, select, evaluate, organize, and summarize information, using appropriate resources	Correctly format and complete error-free assignments	C P A	Precedent Manual: a collection of all error-free assignments completed during the course.