

Friday, September 4, 2020 (Civ Pro class 2 of 15!!)

Today:

- Pop-up orientation! *with Abigail Thomas*
- *Wrap up* paralegal roles (from Intro)→ paralegal certification!
- *Starting* court systems and structure! (continuing through next week)

Mon. Sept. 7: No classes! ☺ *Happy Labor Day!!*

For Wed. Sept. 9 (Intro):

- Read C&W ch. 2 ("Structure of the Courts"), email Q/response by **10am!**
- Reply to a classmate's "Who I Am" post!

For Fri. Sept. 11 (Civ Pro):

- Walking tour!! of downtown Bklyn courts. *No meeting.*
- Answer C&W p. 21 "Did You Get It?" #1-7, *email to me by end of day.*
- Post "Law in Culture" selection on OL! *by end of day.*

ASAP: Email me if you plan to attend Sept. 11 court tour, and if you're under 18 or have any time restrictions!

* * *

Reviewing terminology:

Plaintiff ("P") = party who believes they have been wronged; brings dispute to court to get relief/remedy

➤ "initiates" / "commences" / "files" a case

Defendant ("D") = alleged wrongdoer; party against whom plaintiff brings a case

➤ responds to a case (has several options—*we'll discuss*)

* * *

Wrapping up from Intro: **Paralegal certification!**

?? True or False ?? A person must be licensed to work as a paralegal.

FALSE!! Attorneys must be licensed to practice law, but paralegals are not licensed. There is no "paralegal license"!!

Paralegal certification = recognition by a formal paralegal organization that you satisfy the organization's competency standards.

➤ *optional* – NOT required to work as a paralegal.

➤ *not JUST* earning a "paralegal certificate" (see below).

Two major national paralegal organizations offer certification:

- National Association of Legal Assistants (NALA, nala.org)
- National Federation of Paralegal Associations (NFPA, paralegals.org)

Paralegal certification generally requires:

(1) education in paralegal knowledge and skills (college degree, certificate program, etc.) *AND*

(2) passing a standardized test.

... *plus \$\$ to join the certifying organization.*

?? True or False ?? If you graduate from City Tech's Law and Paralegal Studies Program with a Bachelor's degree, then you are considered a certified paralegal in New York State.

FALSE!! You also need to pass one of the organizations' standardized tests! (and pay the \$\$)

Starting Court systems and structure!

Jurisdiction = court's authority to decide a particular case ("jurx")

- Many different types, based on different aspects of the case!
- *such as where the events happened, what it's about, who are parties, what stage it's in, etc.*

?? True or False ?? Individuals in the U.S. are expected to obey laws created by only one government: the government of the United States (the "federal government").

FALSE!!

Individuals in the U.S. are expected to obey laws created by

- (1) the federal government, **AND**
- (2) state governments, as well as local governments (cities etc.).

This is called **FEDERALISM!!** 😊

Basic American court structure (fed & states) = 3 tiers:

Trial courts (lowest)

- where cases begin
- have original jurisdiction (courts of "original instance," courts of "first instance")
- hold trials of fact (with witnesses, testimony, etc.)

Intermediate appellate courts (middle)

- where parties appeal decisions
- have appellate jurisdiction
- no trials → just legal argument

Highest appellate courts (top)

- "courts of last resort"
- have appellate jurisdiction

Appeal = request made by a party (P or D) to a higher court, asking the higher court to review a lower court's decision (decide if it was correct). Courts that consider appeals have appellate jurisdiction.