

Things to ask during an internship interview

- is there potential for a position when the internship is complete
- who will I be working under
- what are the work hours
- am I required to travel for the job
- what type of work will I be doing

Managing clients

- listen actively
- take notes
- be assertive but gentle
- keep in regular communication with them
- be empathetic but DO NOT tell them you understand what they are going through

Expectations, Codes/Rules, Policies, Etiquette

- understand the scope of information you can provide to a client legally (you are a paralegal, not a lawyer)
- maintain confidentiality at all times
- trust monies belong to the client

Restricted Access

- family court cases closed to public
- in criminal trials, judge sometimes closes courtroom ordering it 'in camera' (no observers permitted)
- in-camera** usually made when the case involves extremely sensitive witnesses (young children, emotionally distraught victims)
- youth criminal justice act**: no accused person's name can be published
- **publication ban**: put on a hearing if judge thinks the integrity of hearing at risk without it

Protocol/Decorum in the justice system

- stand when the judge enters the room
- once the judge is seated, you can sit (court is now in session)
- OCJ** starts at 9:30am; **SCJ** starts at 10am
- court end times are at the discretion of the presiding judge
- no food/drinks/gum
- no sunglasses
- no baseball caps
- no shirts with inappropriate messages on them
- no tanks, halters, short skirts, etc.

Emails

Advantages

-enables immediate delivery of information

-messages can be sent to multiple people at one time

-gives the recipient time to think about the content before responding

-follow-up information can go back and forth quickly

Disadvantages

-there is no benefit of tone of voice or physical communication cues

-emails can be misinterpreted

-not everyone has access to email

-a message might be forwarded inadvertently

-confidentiality is more easily breached

-email can transmit computer viruses



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Page 1 of 3.

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Issues with leaving documents lying around

- you risk cross-contamination between files
- there could be a breach of confidentiality
- you won't know what your deadlines are if you have papers lying everywhere
- you could lose important documents

Dealing with irate clients

- use an authoritative tone and tell them to please come into your office; if they will not do so, you have the right to have them removed from the premises
- stay calm
- do not talk to them across your desk, sit beside them
- be aware of non-verbal cues you may be giving them

Steps for invoicing clients

- 1) Do the work
- 2) Keep a docket of your time
- 3) Send the client an invoice and interim letter
- 4) Take money out of trust

Handling difficult calls

- stay calm, be friendly, don't take what they say personally
- listen without interrupting
- avoid putting them on hold, but if you have to, so it briefly and politely
- ask questions to clarify what the issue is
- offer solutions and alternatives and end the call on a positive note (make sure the caller agrees with the solution)

Mediation

- time efficient
- cost-effective
- a private & confidential environment
- results in a suitable settlement for all parties involved

Courts vs. Tribunals

- courts**: formal setting; many rules & regulations; meant to be intimidating; set up in a hierarchy with the judge at the top
- tribunals**: less formal; level setting; rules of evidence are not applied as strictly

Contracts that must be in writing

these are considered so significant, that a verbal agreement does not suffice

- land agreements
- co-sign agreements
- promisory notes
- trustee's promise to pay the debt of the estate

Structuring an email

- use an active voice
- keep your message short and concise
- leave the recipient field blank until you've proofed your email
- when replying, ensure that you fully understand the original message
- using CAPITALS imply that you are shouting

Acceptable business practices

- always sign your signature in blue ink (this is part of the 'best evidence rule')
- do not leave your stamp lying around, it should always be locked up when you are not using it
- make sure you have password protection on your computer
- try not to take work home because:
 - a) you could lose it
 - b) someone at the office might need the file
 - c) you risk breaching confidentiality
 - d) you won't stop working



Cultural differences in non-verbal communication

- cultural differences can be a barrier to effective communication
- in some cultures, making eye contact is considered rude, while in other countries, non-eye contact is a sign of shyness or weakness
- some cultures regard physical contact is offensive and inappropriate

Most important thing in a client file

- reminder system (tickler cards)

Difficult clients

- acknowledge the client politely, stay calm
- sit beside them, not across from them
- take them into another room to talk
- be empathetic
- listen actively
- do not give legal advice

Affidavits and Statutory Declarations

Affidavit: a sworn statement from the deponent as to the nature of the events that took place

Statutory Declaration: A sworn statement used outside of court

Meaning of certain things

Encl

- | enclosed

CC

- | carbon copy

Best Regards

- | final goodbye

Sincerely

- | standard sign-off

Without Prejudice

- | content cannot be used in court

Why should contracts always be witnessed?

- because if they aren't it becomes a 'he said/she said' situation

- because the terms are unclear and can be misunderstood otherwise

Contracts that must be in writing and witnessed

- marriage and separation agreements

Contracts under seal

- gratuity contracts must be under seal (where only one person benefits)

- if you do not have a seal, you can get a lawyer to initial and circle the document - this acts as a seal



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