

**Florida Department of Education
Curriculum Framework**

Program Title: Paralegal Studies (Legal Assisting)
Career Cluster: Law, Public Safety & Security

AS	
CIP Number	1722030200
Program Type	College Credit
Standard Length	64 credit hours
CTSO	N/A
SOC Codes (all applicable)	23-2011 Paralegals and Legal Assistants; 23-2093 Title Examiners, Abstractors, and Searchers
CTE Program Resources	http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/program-resources.stml

Purpose

This program offers a sequence of courses that provides coherent and rigorous content aligned with challenging academic standards and relevant technical knowledge and skills needed to prepare for further education and careers in the Law, Public Safety and Security career cluster; provides technical skill proficiency, and includes competency-based applied learning that contributes to the academic knowledge, higher-order reasoning and problem-solving skills, work attitudes, general employability skills, technical skills, and occupation-specific skills, and knowledge of all aspects of the Law, Public Safety and Security career cluster.

The purpose of this program is to prepare students for employment as paralegals and paralegals (SOC 23-2011), title examiners (SOC 23-2093) or abstractors (SOC 23-2093), or to provide supplemental training for persons previously or currently employed in these occupations. The program should meet the requirements of paralegal education programs recommended by the American Bar Association.

Program Structure

This program is a planned sequence of instruction consisting of 64 credit hours. The content includes, but is not limited to, legal research and legal writing; litigation and trial practice; corporate law; wills, estates and trusts; tort law; family law; law office management; real property law; tax law; criminal law; constitutional law; ethics and code of professional responsibility; contract law; employability skills; leadership and human relations skills; and health and safety.

Standards

After successfully completing this program, the student will be able to perform the following:

- 01.0 Demonstrate knowledge of the ethical and professional standards of the paralegal.
- 02.0 Demonstrate ability to utilize legal research materials and apply knowledge in legal writing.
- 03.0 Demonstrate basic knowledge of tort law, constitutional law, and criminal law concepts and their application to factual situations.
- 04.0 Demonstrate knowledge of all phases of trial practice and procedure.
- 05.0 Demonstrate knowledge of real property law and its application to real property transactions.
- 06.0 Demonstrate knowledge of estate planning and probate administration concepts and their application to probate procedures.
- 07.0 Demonstrate knowledge of the fundamental principles of the law of business organizations.
- 08.0 Demonstrate knowledge of principles of contract law including the Uniform Commercial Code.
- 09.0 Demonstrate knowledge of, and ability to perform, techniques and procedures utilized as part of case preparation and development.
- 10.0 Demonstrate knowledge of law office management procedures.
- 11.0 Demonstrate knowledge of family law, rules, and procedures.
- 12.0 Demonstrate employability skills.
- 13.0 Describe and explain the various uses of computers and software in law offices and how the legal assistant uses them.

**Florida Department of Education
Student Performance Standards**

Program Title: Paralegal Studies (Legal Assisting)
CIP Numbers: 1722030200
Program Length: 64 credit hours
SOC Code(s): 23-2011, 23-2093

Refer to Rule 6A-14.030 (4), F.A.C., for the minimum amount of general education coursework required in the Associate of Science (AS) degree. At the completion of this program, the student will be able to:

01.0	Demonstrate knowledge of the ethical and professional standards of the paralegal. The student will be able to:
01.01	Define a variety of legal terms and concepts relating to professionalism and the ethical responsibilities of the paralegal, including but not limited to Unauthorized Practice of Law.
01.02	Contrast the duties and responsibilities of the legal team with those of the paralegal.
01.03	Describe activities paralegals are prohibited from doing.
01.04	Briefly outline the development of the occupation of paralegal.
01.05	Explain the role of the paralegal and the benefit he or she adds to the legal team, as well as the legal system as a whole.
01.06	List, discuss and apply the rules of professional responsibility in the legal profession, with special emphasis on client confidentiality and Unauthorized Practice of Law (UPL).
01.07	Describe methods for resolving ethical dilemmas within the legal environment or given a hypothetical case.
01.08	Discuss what constitutes legal malpractice and provide examples.
02.0	Demonstrate ability to utilize legal research materials and apply knowledge in legal writing. The student will be able to:
02.01	Explain the court system of the State of Florida and the federal courts.
02.02	List the basic steps in legal research.
02.03	Differentiate between state and federal court systems.
02.04	Discuss the fundamental features of civil litigation, criminal litigation and administrative procedures.
02.05	Define the term "authority" as it is used in legal writing, and explain the difference between binding and persuasive authority.
02.06	Apply legal authorities to resolve a hypothetical case.
02.07	Contrast case law with statutory law, and explain how to interpret statutes, using intrinsic and extrinsic sources.
02.08	Demonstrate how to "brief" a case.
02.09	Explain the difference among legal publications, treatises, and other legal writings, including technological sources.
02.10	Explain administrative rules and regulation.
02.11	Given a hypothetical case locate and apply applicable statutory, regulatory, and/or case law.
02.12	Demonstrate how to analogize or distinguish the facts and rules of law to the facts of a given hypothetical case.
02.13	Given a hypothetical case, locate appropriate legal authorities and draft a memorandum resolving the legal issue.
02.14	Demonstrate the ability to use a uniform system of citation.
02.15	Demonstrate the ability to locate and update legal authority.
02.16	Demonstrate the use of efficient and effective search terms and techniques.

03.0 Demonstrate basic knowledge of tort law, constitutional law, and criminal law concepts and their application to factual situations. The student will be able to:

03.01 Discuss and define terms and concepts of tort law to include:

- a. Intentional torts as regards interference in relation to persons
- b. Intentional torts as regards interference in relation to property
- c. Defenses to an intentional torts, and defenses to negligence actions
- d. Negligence and the elements of negligence
- e. Reasonable person
- f. Res Ipsa Loquitur
- g. Proximate cause
- h. Strict liability
- i. Product liability
- j. Defenses to tort actions

03.02 Discuss the United States Constitution in the following areas:

- a. The philosophical underpinnings of the Constitution.
- b. The structure of the Constitution.
- c. The Bill of Rights and subsequent amendments.
- d. Due Process Clause and Equal Protection Clause of The Fourteenth Amendment.
- e. The Commerce Clause.

03.03 Discuss and define terms and concepts of Criminal Law to include:

- a. The theory of criminal law - distinguish the concepts of Malum in se and Malum prohibitum and criminal act and intent requirements.
- b. The evolving nature of criminal law.
- c. Elements and degrees of crimes against persons.
- d. Elements and degrees of crimes against property.
- e. Overlapping crimes against the person and property.
- f. Inchoate crimes.
- g. Defenses to crimes.

03.04 Discuss each stage in a criminal proceeding from investigation to disposition and post-conviction procedures.

03.05 Describe electronic scheduling systems for state and federal courts.

04.0 Demonstrate knowledge of all phases of trial practice and procedure. The student will be able to:

04.01 Define a variety of terms associated with litigation and trial practice.

04.02 Explain the sequence and basic contents of pleadings.

04.03 Prepare pleadings, motions and other litigation documentation from information given in a simple hypothetical situation.

04.04 Define and explain causes of actions in civil cases.

04.05 Demonstrate knowledge of common statutes of limitation including contracts, negligence, malpractice, and actions against governmental agencies.

04.06 Discuss and prepare discovery documents, including e-discovery, from information given in a simple hypothetical situation.

04.07 Discuss and effectively navigate the basic rules of procedure and evidence code.

04.08 Describe how evidence/exhibits are organized for trial.

04.09 Describe the purpose and contents of a trial notebook.

	04.10 Describe the typical sequence of litigation to include, but not be limited to, court filing, process service, motions, discovery, trial, and appeals.
	04.11 Describe alternative dispute resolution methods.
	04.12 Explain a paralegal's role in litigation and trial preparation.
05.0	Demonstrate knowledge of real property law and its application to real property transactions. The student will be able to:
	05.01 Define terms associated with real estate law and transactions.
	05.02 Discuss real property concepts to include, but not be limited to, the types of estates that can be conveyed under Florida law.
	05.03 Contrast the basic responsibilities of the lawyer and the real estate broker in the conveyance of real property, from the sales or option contract to the recording of the deed.
	05.04 Describe the basic requirements of, and prepare, a contract for sale of real property and the use of electronic signatures.
	05.05 Describe and prepare real property deeds.
	05.06 Discuss the purpose of title insurance and conduct title searches using online tools.
	05.07 Explain how recording is accomplished and the importance of recording a deed, mortgage, or other real estate documents.
	05.08 List and explain the most common forms of limitations on real property use such as covenants, easements, zoning laws, and land use regulations.
	05.09 Briefly explain the various encumbrances that can be placed against real property.
	05.10 Describe, plan and execute the steps and procedures in a typical real estate closing.
	05.11 Describe and prepare a variety of real property documents such as a lease, a promissory note, an option contract, an agreement for deed or a mortgage.
	05.12 Distinguish personal property from real property.
	05.13 Perform online property searches.
06.0	Demonstrate knowledge of estate planning and probate administration concepts and their application to probate procedures. The student will be able to:
	06.01 Define terms associated with various types of wills, trusts, and probate administration.
	06.02 Explain the purposes and requirements of wills and codicils.
	06.03 Define a simple inter vivos, and a testamentary trust.
	06.04 Explain the process of probate including the distribution of an estate given a hypothetical case.
	06.05 Identify elder law issues.
	06.06 Draft a will or and other estate planning documents.
07.0	Demonstrate knowledge of the fundamental principles of the law of business organizations. The student will be able to:
	07.01 Define terms associated with business organizations.
	07.02 State the major advantages and disadvantages of the various types of business organizations.
	07.03 Describe the procedures and steps leading to formation, modification and dissolution of various types of business organizations, especially as it relates to procedures within the State of Florida.
	07.04 Discuss the rights, duties and liabilities of the owners, officers, directors and employees of various types of business organizations.
	07.05 Explain the financial structure of various business organizations.
	07.06 Discuss the nature of the agency relationship to include the duties and liabilities of principals, agents, and third parties.
08.0	Demonstrate knowledge of principles of contract law including the Uniform Commercial Code. The student will be able to:
	08.01 Identify and describe the elements of a contract.
	08.02 Demonstrate knowledge of contract terminology.
	08.03 Identify the differences between void and voidable contracts.

08.04	Demonstrate knowledge of the Statute of Frauds.
08.05	Demonstrate knowledge of the parol evidence rule.
08.06	Recognize and identify various types of contracts, such as adhesion, bilateral, unilateral, implied, and express.
08.07	Prepare a basic contract given a set of facts.
08.08	Demonstrate knowledge of specific performance, breach of contract, and remedies, and defenses for breach of contract.
08.09	Demonstrate knowledge of third party beneficiary contracts.
08.10	Demonstrate knowledge of requirements for modification of contracts and assignments of contracts.
09.0	Demonstrate knowledge of, and ability to perform, techniques and procedures utilized as part of case preparation and development. The student will be able to:
09.01	Describe the various types of interviews that a paralegal would conduct and implement client and/or a witness interview based on a hypothetical case.
09.02	Describe and implement the techniques for asking questions, including the utilization of effective listening skills.
09.03	Describe how the paralegal would present the results of an interview and background investigation to the attorney.
09.04	Describe the purpose of background investigations and analysis in preparation for litigation and implement investigations based on a hypothetical case.
09.05	Discuss evaluation and use of evidence.
09.06	Demonstrate the knowledge of e-discovery skills.
09.07	Define and discuss the general principles of e-discovery.
10.0	Demonstrate knowledge of law office management procedures. The student will be able to:
10.01	Define terms relating to law office management and structure.
10.02	List and discuss techniques for improving the confidence that clients will have in the personnel of the law office.
10.03	Discuss the various aspects of fee setting in the law office to include fixed fees, minimum fees, contingent fees, retainers, payment schedules and billing practice.
10.04	Describe how client files are opened, maintained and closed, both in electronic and physical format.
10.05	Describe various law office settings, including the paralegal's role.
10.06	Describe effective and secure filing systems for all law offices.
10.07	Explain the differences between data management and document management and identify advantages of paperless offices.
10.08	Describe the elements of an emergency preparedness plan for a law office for events such as natural disasters, terrorism, and active shooters.
10.09	Discuss law office management techniques such as case management, timekeeping and billing.
10.10	Explain ethical rules pertaining to the management and handling of client funds, including the use of a law office's operating and trust accounts.
11.0	Demonstrate knowledge of family law, rules, and procedures. The student will be able to
11.01	Define terms and concepts relating to family law.
11.02	Define the requirements for a valid marriage in the State of Florida.
11.03	Discuss aspects of a dissolution of marriage including parenting plans, child support, spousal support, equitable distribution, and modifications.
11.04	List the grounds needed to obtain a dissolution of marriage and annulment in Florida.
11.05	Discuss prenuptial and postnuptial agreements.
1. 11.06	Discuss paternity actions and describe the requisite documents.
12.0	Demonstrate knowledge of employability skills. The student will be able to:

12.01	Describe and implement the methods to conduct an employment search for a paralegal position.
12.02	Identify documents that may be required when applying for an employment position, including background checks.
12.03	Draft a cover letter and resume.
12.04	Demonstrate competence in employment interviewing techniques.
12.05	Identify or demonstrate appropriate responses to criticism from employer, supervisor, or other persons.
12.06	Identify acceptable work habits, including professionalism and appropriate soft skills.
12.07	Demonstrate knowledge of how to make job changes in employment appropriately and professionally.
12.08	Identify and demonstrate acceptable professional appearance, grooming, and demeanor standards.
12.09	Demonstrate comprehensive computer skills.
12.10	Identify post-degree options.
13.0	Describe and explain the various uses of computers and software in law offices and how the legal assistant uses them. The student will be able to:
13.01	Define a variety of computer and software terms.
13.02	Prepare and compose various legal documents, including: wills and living wills; powers of attorney; complaints and summonses; real estate documents, discovery documents, deposition notices, subpoenas, and corporate documents and minutes using word processing.
13.03	Demonstrate the various document formatting applications commonly observed in preparing legal documents.
13.04	Assemble spreadsheets and apply mathematical computations in using spreadsheet software.
13.05	Define a database and identify the various uses of database software in law firms.
13.06	Describe and apply the software commonly used by law firms for time and billing, docket control and case management.
13.07	Recognize different types of computerized litigation support systems.
13.08	Discuss ethical problems related to the use of technology in the law office, including the use of the internet and e-mail.

Additional Information

Laboratory Activities

Laboratory investigations that include scientific inquiry, research, measurement, problem solving, emerging technologies, tools and equipment, as well as, experimental, quality, and safety procedures are an integral part of this career and technical program/course. Laboratory investigations benefit all students by developing an understanding of the complexity and ambiguity of empirical work, as well as the skills required to manage, operate, calibrate and troubleshoot equipment/tools used to make observations. Students understand measurement error; and have the skills to aggregate, interpret, and present the resulting data. Equipment and supplies should be provided to enhance hands-on experiences for students.

Accommodations

Federal and state legislation requires the provision of accommodations for students with disabilities to meet individual needs and ensure equal access. Postsecondary students with disabilities must self-identify, present documentation, request accommodations if needed, and develop a plan with their counselor and/or instructors. Accommodations received in postsecondary education may differ from those received in secondary education. Accommodations change the way the student is instructed. Students with disabilities may need accommodations in such areas as instructional methods and materials, assignments and assessments, time demands and schedules, learning environment, assistive technology and special communication systems. Documentation of the accommodations requested and provided should be maintained in a confidential file.

Certificate Programs

A College Credit Certificate consists of a program of instruction of less than sixty (60) credits of college-level courses, which is part of an AS or AAS degree program and prepares students for entry into employment (Rule 6A-14.030, F.A.C.). This AS degree program includes the following College Credit Certificates:

Real Estate Paralegal Certificate (0722030203) 11 credit hours

Standards for the above certificate programs are contained in separate curriculum frameworks.

Additional Resources

For additional information regarding articulation agreements, Bright Futures Scholarships, Fine Arts/Practical Arts Credit and Equivalent Mathematics and Equally Rigorous Science Courses please refer to:

<http://www.fldoe.org/academics/career-adult-edu/career-tech-edu/program-resources.shtml>