

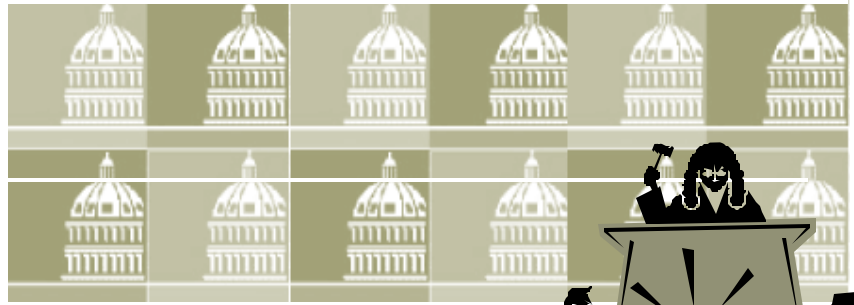
The Legal Decree

A Publication of the American Institute
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CIVIL LITIGATION AND THE ROLE OF PARALEGALS

By: Tom Coffee

Imagine yourself driving down the road on a beautiful clear day. The sun is out, the birds are singing, and you're daydreaming about your upcoming vacation. Suddenly, the traffic ahead stops and, you rear-end the car immediately in front of you! There is property damage to both cars and the driver you just hit is seriously hurt.

The police come to the scene and issue you a citation for violating the assured clear distance statute where you live. You pay a fine for your carelessness, deal with the damage to your car, and then it gets worse! The person you hit files a claim with

your insurance company.

If your insurance company doesn't reach some type of settlement with the person you hit, the driver can file a lawsuit against you for:

1. damages to the car
2. injuries
3. lost income
4. pain & suffering
5. any other damages (i.e. punitive, loss of enjoyment of life, etc...)

If this happens, the postman will deliver a certified letter to your door outlining the lawsuit, which will invade your thoughts, privacy, and

time over the next year or so! You will be forced to deal with insurance agents, adjusters, lawyers, & paralegals! You will be inconvenienced, scared, and worried.

You may have to answer written questions (interrogatories). You may have to give a deposition. You might also have to go down to your local courthouse and testify under oath to a jury of your peers. The questions asked of you may be personal, embarrassing, and confrontational. For the last dozen years or so, I've made my living representing

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Editor's Note:

Welcome to our summer issue of the *Legal Decree*! While most of our graduates are not attending classes these hot summer months, we currently have hundreds of students enrolled at the Institute, aspiring to become paralegals. We look forward to the day they become AIPS graduates and can be featured in our alumni magazine just like you!!

In this issue, we focus on the ever popular practice area of civil litigation. Tom Coffee, in our faculty spotlight, writes an excellent article on the important role of the paralegal in litigation. Then we will meet two AIPS graduates who have

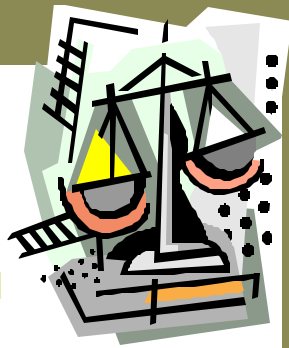
over 25 years of combined work experience as litigation paralegals. You will meet Kim Hill, who is the current president of the Kentucky Paralegal Association. She will share with us her experiences as a trial paralegal practicing in the area of insurance defense. You will also meet Jim Oldham, a 1987 AIPS graduate, who specializes primarily in worker's compensation litigation. He will share with you some of the cases he has worked on and presented at Administrative Law Hearings. Jim has a lot of responsibility!

In addition, *Legal Assistant Today* was kind enough to give us permission to re-print an article

on some trial tricks and time savers for litigation paralegals. We hope you walk away with some great ideas to implement in your office.

We hope you enjoy this litigation issue and if you have ever desired to work in this area of law but don't have any relevant experience, CALE offers an advanced litigation specialty certificate which is described more fully in this issue. Many employers will look at your work experience combined with this specialty training very favorably when looking to hire a paralegal in this exciting practice area.

Happy barbequing this summer!!



CAN THE RECESSION AFFECT PARALEGAL POSITIONS?

To a limited extent, paralegal jobs are affected by the business cycle. During recessions, demand declines for some discretionary legal services, such as planning estates, drafting wills, and handling real estate transactions. Consumers tend to let these issues go until the economy picks up speed. Thus, this can lead to a decline in work and jobs for paralegals.

In addition, corporations are less inclined to initiate litigation when their sales are down and there are no profits to be seen. As a result, full-time paralegals employed in offices may be laid off or have their work hours reduced. On the other hand, during recessions, corporations and individuals are more likely to face other problems that require legal assistance, such as bankruptcies, foreclosures, and divorces.

Paralegal services, varied as they might be, are usually required in both difficult and prosperous economic conditions. It is truly a great profession as long as one is willing to be flexible and work in the area with the greatest demand at any given time.

CIVIL LITIGATION AND THE ROLE OF PARALEGALS

By: Tom Coffee (Continued from page 1)

people who have been sued because of some type of accident like the one described above. My practice dramatically changed for the better several years ago when I hired my first paralegal "Penny".

When she first started working with me, she didn't have that much experience in civil litigation. She struggled with Lexis research, was uncomfortable with writing citations, and didn't have much experience in dealing with clients. This is the way we all are when we first start out. The law is a "learned" profession that takes practice, patience, and perseverance.

Today, I wonder what I ever did without her! We take a team approach in the cases we're defending. Penny's work begins as soon as a new lawsuit arrives in our office. A positive attitude is important because she has a lot of work ahead of her! She sets up a file, checks the answer date, notifies the plaintiff's attorney that we're on the case, and forwards to the insurance company a note about our representation. She also immediately calls the client and lines up an office appointment. Penny always meets the client with me. I do this on purpose.

When my clients come to see me, they're usually very scared, upset, and worried about whether or not they have any "personal financial exposure" from being sued. The answer to that question is quite often yes! I want my clients to become familiar and comfortable with Penny (i.e. the first call and attending the office conference) because she will be doing a lot of work on the file, much of it directly with the client. After the initial client meeting, Penny prepares the initial pleadings (for my signature) on the file. These can consist of:

1. Answer to the Complaint
2. Interrogatories directed to the plaintiff
3. Request for Production of Documents to the plaintiff
4. Requests for Admissions to the plaintiff

When we receive the plaintiff's responses to our written discovery, Penny will summarize them for the file. Frequently, my client will also have to respond to this type of written discovery. Again, Penny will contact my client and get the answers from my

client to this type of discovery.

One of the most helpful tasks Penny does for me occurs when we receive the plaintiff's medical records. Often times the medical records on a file are voluminous. Penny will review the medical records and summarize them for me in a chronological summary. The dates, medical providers, and actual treatment notes are all reviewed and summarized in a logical order. This saves me a tremendous amount of time! I rely on her to be thorough and accurate.

Occasionally, I will want to have the plaintiff examined by my own physician. I do this when the plaintiff's injuries are in dispute. For example, the plaintiff might be claiming some type of permanent injury (i.e. bulging cervical disk, torn rotator cuff, etc...) and I will want to line up my own expert for a defense medical examination.

Penny will call the doctor directly and schedule an appointment. It's important that she is comfortable talking to all types of people (i.e. clients, lawyers, doctors, etc...) She will prepare a "medical package" for my own doctor's use in his examination. We don't want our expert witness spending his time (and my client's money) trying to organize the plaintiff's medical records. We do this for him before the exam ever takes place.

In my practice, I try a lot of cases. Trial preparation is another key area where Penny has been a tremendous help. She meets and interviews potential witnesses, issues subpoenas for their attendance, and coordinates their appearance at trial. Good people skills are critical. It's up to her to encourage their cooperation. Penny also assists with preparation of the trial exhibits, works on the "trial binder" that I will use in trial, helps me figure out my theory of the case, follows up with the client on the status of the case, and the list goes on...

What separates Penny from the legal secretaries in my office are "billable hours." She typically bills around 1500 hours a year. We charge her time out at \$60.00 per hour and she has truly made a positive and tremendous difference in my practice. I believe the role of the paralegal today in the area of litigation, is only limited by our own imaginations!

BONUS TIPS: TRIAL TRICKS

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Legal Assistant Today

A Trial Lifesaver

A simple tool our litigation department has found useful is the "Trial Kit." Before trial, we restock the inventory in our fishing tackle box with life-saving trial necessities such as: tissues, pens and pencils, removable notes, paper clips, stapler, quarters, snacks, pain relievers, glue stick, chalk, thumb tacks, scissors, staple remover, magnifying glass, exhibit stickers, breath mints, ruler and carry-out lunch menus. My greatest "lifesaver" has been size AA batteries to power the remote control for a video-cassette player. Our carefully planned videotaped exhibit would have been a flop had spare batteries not been available. We've even packed a four-leaf clover for good luck. Once you begin using a Trial Kit, you'll never leave without it!

Jury Selection Made Easy

During jury selection, use removable notes to track the movement of the jurors so that the attorney can concentrate on his or her voir dire questions. Start by taking a sheet of 8-1/2" by 14" paper and drawing squares aligned like the jury box. (Call the court clerk to find out how many jurors the judge impanels, how the seats are numbered and how the jurors will be seated—how many across, how many rows, etc.). Number the squares accordingly. Then in each square, pile three or four small removable notes, one on top of the other.

As each juror in the pool is questioned, print his or her name, occupation and any other pertinent information on the top removable note. If that juror is excused, simply peel off the top note and throw it away. When a juror is pulled from the pool to replace the excused juror, move the new juror's sticker into the proper place in the box so that you know who is in which chair.

Jury Selection Made Even Easier

Once a case is assigned to a judge for trial, I call the judge's clerk, introduce myself and identify our upcoming case and ask if I can meet with him/her at a convenient time so I can scope out the logistics of the courtroom. The last time I did this I found myself standing in a courtroom designed as a small amphitheater. Seat numbers had been assigned in a unique fashion. I would never have been able to match them up during jury selection. The clerk provided me with a map of the room in which all the seat numbers were delineated, not just the jury box. Using this map, in combination with the removable notes, helped during general voir dire of the entire 35-member panel.

Exhibit Your Calendar

When preparing exhibits for deposition of a witness or for trial, suggest to the attorney that he or she mark as an exhibit a copy of a calendar for the subject year(s). (It is best to use a yearly calendar so that it will fit onto one 8-1/2" x 11" page.)

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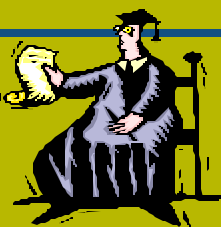
Laughing Corner

From "The Week" magazine, Vol. 2, Issue 58, June 7, 2002 edition, page 10:

A 24-year-old Englishwoman is suing her parents, claiming that their genes made her stupid. Winnie MacAlistair of Bath says John and Beverly MacAlistair caused "grave and irreparable damage" by passing on a "stupidity gene" that has left her too dumb to attend college or find a job. She wants them to support her for the rest of her life. "This is a monumentally, breathtakingly stupid girl" says her lawyer. "This kind of pervasive, massive idiocy cannot be learned." And there you have it.



Advice for the day: "If you have a lot of tension and you get a headache, do what it says on the aspirin bottle: "Take two aspirin" and "Keep away from children" Author Unknown



We are looking for alumni to submit articles to the editor for publication in The Legal Decree. The article is subject to approval by the editor. By submitting your article you are giving AIPS permission to re-print it. If you are selected, AIPS will publish the article and submit a framed copy of the article to you for a keepsake. Please send all entries in Word or WordPerfect to

renee.sova@aips.com

Calling all Alumni!

Meet Kim Hill, 1993 AIPS graduate...

I am a civil litigation paralegal and employed by Goldberg & Simpson PSC, a law firm located in Louisville, Kentucky. For almost eight years, I have handled civil litigation cases and worked primarily on insurance defense and products liability cases, involving asbestos. I typically work for three to five attorneys at any given time.

I have also worked in other areas of the law, including labor, family and bankruptcy law. However, throughout the entire length of my employment, I have always handled the insurance defense cases. The phrase "Insurance Defense" covers a wide variety of cases and has ranged from motor vehicle accidents involving cars, buses or trucks to cases dealing with slipping on ice or tripping on an object in a parking lot. We handle all kinds of insurance defense matters. Our firm recently represented a Kentucky department store where the Plaintiff alleged she was bit by a spider while trying on a blouse. In a separate case we represented a restaurant chain who was sued because the Plaintiff found a band-aid in his pizza. Surprisingly, both of these cases were settled for a fairly small amount of money.

Currently, I am working on over 60 insurance defense cases, which include approximately 12 asbestos/product liability cases. Most of the product liability cases allege that the Plaintiff suffers from asbestosis or mesothelioma. Unlike a car accident or slip and fall, asbestos cases usually contain anywhere from 20-200 parties and most of them are serviced by the Multi-State Litigation Asbestos Panel in Pennsylvania, for the discovery phase of the case, before they are returned to the local federal courts for final adjudication or trial. As part of my "regular" responsibilities, I issue subpoenas for the Plaintiff's medical records if a physical injury is alleged, and for the Plaintiff's employment records if they are alleging lost wages or the inability to labor and earn money. I also try and obtain their Kentucky criminal/traffic record, tax returns, and copies of any Worker's Compensation claims they have filed in the past. All of this information is then read and reviewed and put into a date order chronology which the attorney on the case will use at the Plaintiff's deposition. In addition, I meet with clients, correspond with

Litigation Legal Assistants

Thanks to these two grads for their contributions to this edition of The Legal Decree!

Kim Hill, 1993 AIPS graduate
& Jim Oldham, 1987 AIPS graduate

opposing counsel, physicians, vocational economists, accident reconstructionists, witnesses, and insurance adjusters, and attend the depositions of the Plaintiffs. I usually prepare all of our clients answers to written discovery and I really enjoy drafting the occasional Motion to Compel plaintiff's answers to discovery. I also review our client's documents for privilege prior to their production and attend document productions, whether they are held in someone's office, or in a dirty warehouse. A few month's ago, I spent so many weeks at a roofing company's warehouse, that the company's President agreed to give me a Christmas turkey if I was still there at the end of the year!

If a case cannot be settled, then it's my job to prepare and timely file all pre-trial compliance pleadings, organize witnesses and trial exhibits including, blow-up or PowerPoint presentation, and to attend trial with the attorney and our client. At the present time, I am creating a very large PowerPoint presentation which will be used by two attorneys when they present their opening and closing statements at an employment trial regarding racial discrimination and wrongful discharge. Once I am finished inputting pages of data, or scanning in all the documents which may be potential exhibits, I expect that there will be approximately 300-400 slides!

I have appeared at trials in state and federal courts, along with merit board hearings in labor cases. In a recent trial, I utilized "Live Note" during the attorney's opening statement and during his cross-examination of witnesses. Live Note is a software product which allows exact portions of a videotaped deposition and/or the written words from a transcript to be identified and played on a screen, thereby allowing the jury to see and hear the witnesses live testimony.

Along with my secretary who types all my correspondence, (I prefer to type my own pleadings), I also handle a lot of the "housekeeping" aspects neces-

sary to juggle multiple cases. We both maintain a case status chart for each of our litigation cases so that everyone in the insurance defense practice group knows the status of a case.

Prior to working in civil litigation, I worked as a paralegal for four years at a financial institution in Cleveland, Ohio (1988-1992) where I handled IRS levies, garnishments, document productions, restraining orders due to divorces and even testified on behalf of the bank at a murder trial. From 1993 to 1995, I worked for a different bank in Louisville and handled the trust department's estate and probate cases.

On a personal note I began my college education at Ohio State University in 1974, but dropped out when I couldn't decide on a major. In 1993, I attended the American Institute of Paralegal Studies in Cleveland and graduated in June 1993 earning their Certificate of Scholarly Distinction. When I moved to Kentucky in July 1993, I decided it was time to finish my bachelor's degree, and enrolled in the University of Louisville. I graduated in May, 2002 with a Bachelor of Arts degree in English. At the present time, I spend my free time working on the promotion and betterment of my profession! I am currently the President of the Kentucky Paralegal Association (www.kypa.org). I have served on the boards of both the KPA and the Louisville Association of Paralegals for the past eight years and even found my present job, while attending a board meeting in 1995. Once my term as KPA President is over in December 2002, I can't even imagine what I will do with my "free time," now that school is over too! I'm looking forward to discovering what some of my friends call hobbies!

Kim Hill
Civil Litigation Paralegal
Goldberg and Simpson
Louisville, KY
AIPS GRADUATE

Meet Jim Oldham, 1987 AIPS graduate...

I have been a litigation paralegal since March of 1987. I originally went to AIPS to become a paralegal with the thought of going on to law school. However, as I became more involved in the litigation process I also became more involved in what I consider to be the "fun" aspects of litigation, case development and investigation. As I saw all of the young associates working long hours into the night researching some arcane legal issue I was out doing fun stuff. Not that paralegals don't put in long hours, after going through 23 trials I know that we have to work hard as well. At this point the idea of law school no longer appeals to me. While I don't want to discourage anyone from going to law school, the fact is that the market right now is better for experienced paralegals than it is for new law school graduates.

I spent a number of years in what we liked to call the "Asbestos Wars" traveling around the country as part of a national trial team on behalf of a corporate client. I have also spent a considerable amount of time in dealing with worker's compensation issues. Although most of the "comp" cases I have dealt with were from the defense perspective, I have handled a few applicant's cases as well. I was lucky enough to have worked directly with two former administrative law judges (ALJ's), Robert Zilske and Joe Danas, co-authors of the Wisconsin Worker's Compensation Handbook, portions of which are routinely incorporated into opinions issued by the present ALJ's. Worker's compensation law, at least in the State of Wisconsin, is one of the few areas of law that a non-attorney can practice in directly. In fact, the Wisconsin Statutes and Administrative Law allow for a non-attorney to become licensed to practice before the department, provided you meet the qualifications. You must be over 18 years of age, handle three cases through a final hearing (you have to receive permission to appear from the ALJ handling each case for the first three cases), after which you can petition the department to become a "Licensed Worker's Compensation Representative" (LWCR). The only other area that I am aware of, in which a non-attorney can directly practice administrative law, is in the area of Social Security Disability Claims. Although I have

had the opportunity to argue worker's compensation cases before the department, I have only done two at the present time. The feeling in most firms is that sending a young associate to handle the hearing is good experience for them not to mention the fact that many times the billing rate for associates is greater than paralegals. What generally happens when the associate handles the hearing is that I work up the case from its inception and spoon feed that information to the associate. Lastly, I attend the hearing with the associate to assist in any way possible.

One of the worker's compensation cases that I had the opportunity to present at the final hearing involved what is referred to as the "As Is Doctrine", which basically means that an employer takes the employee as they find them at the time they become employed. In this case, the employee (AKA applicant) was being treated for a non-industrial pre-existing condition. One of the side effects of the treatment was that it predisposed the applicant to a greater risk of infection than they would have otherwise. Normally, if an employee's occupational exposure aggravates a preexisting condition it is generally considered to be a compensable injury with the only issue becoming the nature and extent of disability etc. However, in this case, the occupation did not expose the applicant to anything that they would/could have been exposed to anywhere else so the issue became, "did the infection that resulted in the temporary disability result from a work exposure".

The applicant's attorney could not produce a medical opinion "to a reasonable degree of medical certainty" that the infection was caused by a work exposure. Without a medical opinion that meets the required threshold, the department ruled in favor of the respondent. Sometimes, what you see in a case at first blush, may not be what you end up with at the end.

I also worked on another worker's compensa-

tion case which involved a person who had undergone back surgery as a result of a work related injury. As a result of the surgery, the individual developed an inability to urinate, caused by, so the doctors thought, scar tissue impinging in a nerve. The patient underwent a number of additional surgeries with no relief of her symptoms. By this time, the medical records, generated as a result of all of the medical intervention, exceeded 5,000 pages. The problem is that no one, up to that time, had done a detailed review of her records. What I found, was the lady had become addicted to Demerol, a pain medication. One of the side effects of taking this medication can cause one to develop an inability to void their bladder. There were so many doctors involved that no one had noticed that she had been taking large amounts of painkillers. The only way I noticed the connection was by comparing her medication records with her intake/output records. The farther away she got from her last dose of Demerol, the more fluid output she had. I took this information to a doctor who confirmed my findings. In fact, the applicant has been scheduled to undergo yet another surgery, which her doctor delayed, after being presented with this information. In the end the applicant was weaned off of the drug and normal bladder function returned. The point of all of this is to look at all of the information you have in great detail. Again, this exemplifies the important role of paralegals in the litigation process.

James D. Oldham is a paralegal in the Milwaukee law firm of Reinhart, Boerner, & Van Duren where he specializes in the areas of products liability and worker's compensation defense. Mr. Oldham has been a practicing paralegal for over 15 years having graduated from the AIPS program in January 1987. Since receiving his paralegal certificate, he has worked on various national litigation teams and has participated in 23 trials in 11 different states. Mr. Oldham graduated from the University of Kentucky in 1981. He

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"As I became more involved in the litigation process, I also became more involved in what I consider to be the "fun" aspects of litigation, case development and investigation."



Legal Links

Definitions of official/unofficial reporters, primary and secondary law, etc...

<http://www.acusd.edu/lrc/iscartersgrid.html>

Legal resources for attorneys

<http://www.palidan.com>

Law and politics internet guide

<http://www.lpig.org>

www.virtual law library—constitutional law

<http://www.law.indiana.edu/v-lib/vlib.asp>

Finding ethics opinions, ABA, California and other states

http://www.usfca.edu/law_library/ethop.html

American Law Sources online

<http://www.lawsources.com/also/>

Research guides arranged by subject

<http://www3.uakron.edu/law/richert/index1.html>

Jury instructions website—breaking cases

http://www.juryinstruction.com/cal_late_breaking_cases.htm#LATE_BREAKING_CASES

Court rules, forms, and dockets

<http://www.llrx.com/courtrules/>

Set of legal updates

<http://www.leadershipcouncil.org/Justice/justice.htm>

Faculty Spotlight: Tom Coffee

Tom Coffee has been an attorney with Nationwide Insurance for 15 years. For the last 6 years, he has been the managing trial attorney of an office in Akron, Ohio. Tom represents people who have been sued because of being involved in some type of accident (i.e. auto, slip and fall, etc..).

Tom regularly participates in both the teaching and training of new trial attorneys with Nationwide. He recently served on the faculty of an intensive 3 day "mock trial" program in which new Nationwide trial attorneys prepared and tried a case against each other at Capital University Law School in Columbus, Ohio.

Tom graduated (cum laude) from Kent State University in 1982 with a B.A. in political science. He graduated from the University of Akron School of Law in 1987. At Akron, Tom participated on the law school's trial advocacy competition team and won the regional competition for trial advocacy, with law school teams competing from Ohio, Michigan, & Kentucky.

His team continued on to the National Trial Competition in San Antonio Texas and competed against the best trial advocacy teams in the country. Tom's team placed 9th in the nation. Tom frequently works with the law students at Akron in their trial advocacy programs.

Tom lives in Canton, Ohio with his wife of 19 years, Stacey. They have two children, Jake (age 5) and Sam (age 6). Tom's wife worked at Nationwide for 17 years, but retired to raise her "3" boys.

I have found the calendar particularly helpful in lawsuits involving multiple witnesses and for assembling a time line of events or meetings.

Witnesses in Your Pocket

When you are assisting an attorney at trial, what's the fastest way to keep in touch with witnesses you will be calling to testify? Carry a wallet-sized card that contains the name and phone number of each witness, what days each is unavailable and your telephone credit card number (so you won't need coins). Keep this card in your jacket pocket at all times during the trial. If your attorney won't need your assistance at trial, prepare the card for his or her use.

Financial Follow-Up

Our firm represents financial institutions in litigation and collection matters. With so many financial institutions merging, closing, etc., it has become a problem following up with postjudgment documents. When a financial institution "ceases to do business," their files are not always thoroughly completed before being sent to storage or transferred to the acquiring institution. We frequently receive telephone calls from judgment debtors or escrow companies (since our number is on the document) who are frantic because they insist that the judgment was paid off but there is still a lien outstanding and the bank no longer exists.

To solve the problem, we established a frequent follow-up system - (no longer than three months) with the institution regarding payments being made and further enforcement required on the matter. Most importantly, as soon as the judgment is satisfied, we release Abstracts and Judgment or Dismissal of the case. Trying to track down banking records that have gone through one or two (or more) acquisitions is an exercise in futility!

Using Down Time

Even though I usually feel pressed for time, there are many moments in the day I find myself actually waiting (on hold on the phone, during document production, waiting for a meeting to start or a judge to appear). To prepare for "down time," I try to maintain a portable file of projects that can be completed while I am waiting. Examples of projects are proofing various materials, thoroughly reading key documents or literature pertaining to a case I only had time to quickly skim through before, opening and reviewing my mail, reading trade publications, outlining topics for an upcoming meeting or discussion, and writing out a to-do list for the day. This portable file helps me complete pressing tasks or tackle some of the long-forgotten piles on my desk during what would otherwise be wasted time.

If you are interested in becoming a Litigation Specialist please visit the CALE web site at www.cale.org and click on curriculum for a complete description. There are three courses required to receive your advanced specialty certificate: **Advanced Litigation, Alternative Dispute Resolution (ADR), and Advanced Torts** (another course can be substituted for the Advanced Torts course such as Advanced Employment Law if you plan to specialize your training in a particular area of the law). If you have already taken the ADR class through AIPS you will not have to repeat this class to earn your advanced certificate.

Advanced Litigation (CALE 525)

5.0 CLE's (awarded by NFPA)

This course provides an in-depth look at three aspects of civil litigation: Procedures for instituting a civil action; the skills, such as evidence gathering and trial preparation, necessary for a litigation paralegal; and the appellate process. Students will review federal and state court jurisdiction, choice of forum issues, and service of process problems. Pre-trial and trial skills to be developed include identifying issues raised through motions, providing supporting documents, having a working knowledge of the Rules of Evidence, investigation techniques, and using a conceptual framework for trial organization. In addition, appellate procedures involving both the trial and appellate courts will be examined.

Text: *The Litigation Paralegal* (ITP/West),
by James McCord

Alternative Dispute Resolution (CALE 530)

5.0 CLE's (awarded by NFPA)

This course presents Alternative Dispute Resolution (ADR) against the backdrop of traditional litigation. Eight basic methods of ADR, and several hybrids, are explained in detail. In addition, students will explore seven arenas where disputes often arise and how one or more methods of ADR apply. Students will evaluate disputes and disputants to determine the most appropriate method for resolving a matter. Specific topics addressed include negotiation, mediation, arbitration, settlement strategies, the application of ADR to specific disputes in various industries and sections of the bar, sources of ADR services, and the role of the paralegal in ADR.

Text: *Essentials of Alternative Dispute Resolution*
(Pearson), by Susan Patterson & Grant Seabolt

Advanced Torts (CALE 535)

5.0 CLE's (awarded by NFPA)

A review of the laws governing torts and personal injury. Special emphasis is placed on investigation, negligence and special negligence actions, defenses to negligence, intentional torts with injuries to persons and property, defenses to intentional torts, strict liability, products liability, special tort actions and tort immunities. This course also discusses the critical role played by paralegals in bringing and defending tort actions.

Text: *Tort and Personal Injury Law*, (ITP/Delmar)
by Buckley and Okrent.

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is a frequent presenter at educational seminars addressing the issues of the paralegal's role in worker's compensation and civil litigation. Mr. Oldham has a wide range of interests including music, drumming for a local classic rock band, SCUBA diving, holds a PADI advanced open water and equipment specialist rating, law enforcement, serving as the commanding officer (Captain) of the local police reserve unit, camping and motorcycle riding. Mr. Oldham lives in New Berlin, Wisconsin with his wife Deb, 3 month old daughter Lauren, 3 year old Golden Retriever, Jazz (a certified therapy dog) and 10 year old cat named Fendi.

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