

# PARALEGAL COMPASS

Volume 8 • September 2020



## WORDS OF WISDOM

*"On your first day of class, introduce yourself to your professors. This will break down barriers right from the start, and will make it easier for you to ask academic and professional questions, network, and gain program insights."*

*"Evaluate your talents as a self-starter and entrepreneur honestly. Every legal professional I know who is really successful, especially the paralegals, are relying significantly on their ability to learn on their feet, solve problems on the go, project confidence, and attract trust."*

*"Connect with students using social media groups. I met and exchanged ideas and study tips with so many amazing people using the Emond Exam Prep Paralegal Networking Group on Facebook!"*



## TAKE NOTE: HOW TO MANAGE YOUR STUDY SCHEDULE AT HOME

It can be difficult to get into the habit of studying at home without the usual structure and routine which we are used to. Here are some tips to help guide you into the habit of successful studying at home.

- 1. Gain Insights from a Practice Exam:** A practice exam can also help you learn to quickly navigate the reference materials you plan to bring to the exam, such as indices and topic summaries. Try the [Paralegal Practice Exam](#) from Emond Exam Prep, which can help you determine the areas of study which might require some more attention.
- 2. Highlight the Key Points:** Highlighting while studying can be a very helpful

*[Continue on page 2]*



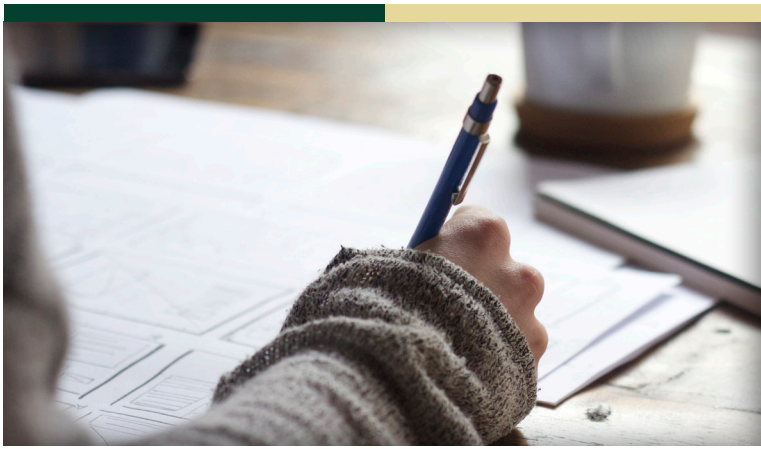
**2** USEFUL ONLINE RESOURCES FOR PARALEGAL STUDENTS



**3** COURTROOM DO'S AND DON'TS



**4** INSPIRATION FOR PARALEGAL STUDENTS



## TAKE NOTE: HOW TO MANAGE YOUR STUDY SCHEDULE AT HOME

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tool to quickly identify important information. You can also specify different types of information by using different colours for different legal categories, such as statute names and time periods. For more study tips in preparing for your Paralegal Exam, take a look at chapter 3 of Emond's free [P1 Exam Preparation Manual](#).

- 3. Take Meaningful Breaks:** Taking breaks while studying helps you keep your attention from wandering, as long as these breaks don't involve deep dives within social media. Try to have more control over the length of your breaks by doing activities like going for a walk or chatting with friends.

Follow these simple at-home study tips and you'll walk into your P1 Exam ready for success!



## ONLINE RESOURCES FOR PARALEGAL STUDENTS

### PARALEGAL NEWS AND GUIDANCE

[emondexamprep.ca/topics/blog](http://emondexamprep.ca/topics/blog)  
[lso.ca/becoming-licensed/paralegal-licensing-process](http://lso.ca/becoming-licensed/paralegal-licensing-process)  
[opaonline.ca](http://opaonline.ca)  
[paralegalscope.com](http://paralegalscope.com)  
[online-paralegal-programs.com](http://online-paralegal-programs.com)

### GOVERNMENT RESOURCES

CanLII: [canlii.org](http://canlii.org)  
e-Laws: [ontario.ca/laws](http://ontario.ca/laws)

### PARALEGAL FACEBOOK GROUPS

[facebook.com/groups/ParalegalsConnect](https://facebook.com/groups/ParalegalsConnect)  
[facebook.com/groups/ParalegalCorner](https://facebook.com/groups/ParalegalCorner)  
[facebook.com/OPNparalegals/](https://facebook.com/OPNparalegals/)

### LINKEDIN GROUPS

Paralegal Student Network: [goo.gl/fDROOa](https://goo.gl/fDROOa)  
Ontario Paralegal Association: [goo.gl/Ke6sBj](https://goo.gl/Ke6sBj)  
The Paralegal Group: [goo.gl/yLxTYA](https://goo.gl/yLxTYA)

## FREE LEGAL GLOSSARY

**Absolute liability:** Liability that is imposed automatically (usually under a statute) when certain conditions are met, without reference to negligence or intent.

**Endorsement:** The judge's handwritten order or judgment from which a successful party is expected to prepare a formal draft of the order or judgment.

**Infrequent claimant:** Anyone who files fewer than 10 Small Claims Court claims in a Small Claims Court office on or after January 1 in any calendar year.

**Liquidated damages clause:** A term in a contract that attempts to reasonably estimate the damages that will be suffered if the contract is breached.

ACCESS THE FREE GLOSSARY: [EMOND.CA/RESOURCES/GLOSSARY-OF-LEGAL-TERMS](http://EMOND.CA/RESOURCES/GLOSSARY-OF-LEGAL-TERMS)



~~\$70~~ \$60

~~\$99~~ \$84

~~\$88~~ \$75

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# COURTROOM DO'S AND DON'TS

Entering a courtroom for the first time can be intimidating, so it helps to be prepared prior to addressing the court.

## COURTROOM DO'S:

1. **Do check the daily hearing list first to confirm that your matter is listed.** Once confirmed, check in with the prosecutor or registrar in the courtroom.
2. **Do use the correct terms when addressing the judge in each court.** In Small Claims Court, address the judge as "Your Honour." In Provincial Offences Court, you must refer to the justice of the peace as "Your Worship." Lastly, at a tribunal, refer to the adjudicator as Mister or Madam adjudicator.
3. **Do greet the judge.** State your name, your certification, and whom you are representing when your matter is called.

## COURTROOM DON'TS:

1. **Don't refer to your client using their first name.** Instead, refer to them by Mr./Ms. or their status in the case, like plaintiff/defendant, landlord/tenant, homeowner/contractor, etc.
2. **Don't speak directly to the opposing counsel while your case is being heard.** Always speak through the judge, justice of the peace, or adjudicator.

ADAPTED FROM: ADVOCACY FOR PARALEGALS, SECOND EDITION  
CHAPTER 5: COURTROOM ETIQUETTE

## SUCCESS TIPS

- Study smarter not harder. Instead of simply reading through material, create a strategy of actively engaging in material.

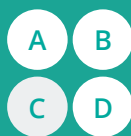
## BUILD YOUR STRENGTHS

- Don't compare yourself to others. Set goals for yourself and focus on achieving them.
- Appreciate yourself and recognize your strengths and use them to your advantage.

## LSO LICENSING EXAM PREPARATION

### REVIEW COURSES, PRACTICE EXAMS, AND ADVICE: [EMONDEXAMPREP.CA](http://EMONDEXAMPREP.CA)

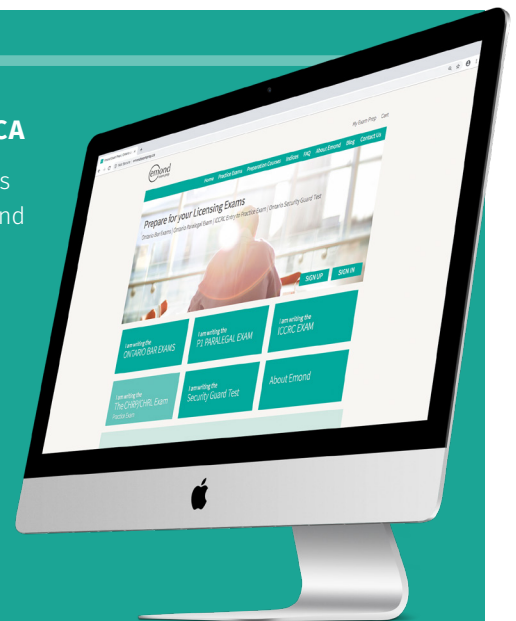
To prepare for the LSO Licensing Exam, you must study approximately 1000 pages of material and answer challenging and substantive ethical questions. With Emond Exam Prep and the *Exam Preparation Manual*, learn strategies, tips, and exam requirements to help you succeed.



**120-question practice exams** with subject performance analytics, correct answers, and detailed explanations.



**18-hour online preparation course** with substantive lectures on paralegal competencies.



# STEPS IN PREPARING FOR A CASE

THERE ARE MANY MOVING PARTS WHEN IT COMES TO REPRESENTING THE DEFENDANT IN A LEGAL MATTER. SOME OF THESE STEPS ARE STATIC AND MUST BE PERFORMED FOR EVERY CASE, WHILE OTHERS ARE DEPENDENT ON THE UNIQUE SITUATION AT HAND. BELOW IS AN OVERVIEW OF THE MOST COMMON STEPS FROM AN INITIAL CONSULTATION TO A TRIAL DATE.

**1** A defendant has 20 days from the date of service of the plaintiff's claim to file a defence. Before filing a defence, make sure to compile all original documentation from your client as well as confirming the exact date of service of the plaintiff's claim.

**2** If your client wishes to file a claim against the plaintiff, the defendant's claim must be filed within 20 days after the defence has been filed. If your client files a defendant's claim, they would be called a "plaintiff by defendant's claim."

**3** If the deadline to file the defence has passed and your client has been noted in default or has a default judgement against them, you can make a motion that gives a reasonable explanation of the delay, for an order set the default aside and give notice to the other parties involved.

**4** The court clerk fixes a time and place for a settlement conference within 90 days after first defence is filed. After the settlement conference, the action must be disposed of within 30 days or a party must pay a fee to set the matter down for trial. The clerk once again sets a date and time.

ADAPTED FROM: SMALL CLAIMS COURT: PROCEDURE AND PRACTICE, 4TH EDITION

## EMOND PUBLISHING

1 Eglinton Avenue East  
Suite 600  
Toronto, ON M4P 3A1

E. [orders@emond.ca](mailto:orders@emond.ca)  
W. [emond.ca](http://emond.ca)  
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E. [emondexamprep@emond.ca](mailto:emondexamprep@emond.ca)  
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## INSPIRATION

