Tutorial Letter 101/3/2021

INTRODUCTION TO PARALEGAL STUDIES

PAR1501

Semesters 1 and 2

Department of Jurisprudence

This tutorial letter contains important information about your module.

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1 INTRODUCTION

Dear Student

Welcome to the module Introduction to Paralegal Studies (PAR1501) offered by the Department of Jurisprudence. We hope you will find it interesting and rewarding.

The Department of Dispatch should supply you with the following study material for this module:

- A Study Guide
- Tutorial Letters 101 and 201
- Additional tutorial letters, including Tutorial Letter 301.

This is your first tutorial letter for this module and it contains important information about this module. We urge you to read it carefully and to keep it at hand when working through the study material, preparing the assignments, preparing for the examination and addressing questions to your lecturers. In this tutorial letter, you will find the assignments for both semesters and instructions on the preparation and submission of the assignments.

You will receive more tutorial letters throughout the semester. Right from the start we would like to point out that you must read all the tutorial letters you receive during the semester immediately and carefully, as they always contain important and sometimes urgent information.

Some of the tutorial letters may not be available when you register. Study material that is not available when you register will be posted to you as soon as possible, but it is also available on myUnisa. MyUnisa is Unisa's virtual campus where you can communicate with your lecturers and fellow students and where you can submit assignments, access library resources and download your study material.

Please read Tutorial Letter 301 in combination with Tutorial Letter 101 as it gives you an idea of generally important information when studying at a distance and within a particular college.

2 PURPOSE AND OUTCOMES

As part of this tutorial letter, we wish to inform you that Unisa has implemented a transformation charter based on various pillars and eight dimensions. In response to this charter, we have also placed curriculum transformation high on the agenda. For your information, curriculum transformation includes the following pillars: student-centred scholarship, the pedagogical renewal of teaching and assessment practices, the scholarship of teaching and learning, and the infusion of African epistemologies and philosophies. These pillars and their principles will be integrated at both the programme and module levels, as a phased-in approach. You will notice the implementation thereof in your modules, and we encourage you to fully embrace these changes during your studies at Unisa.

2.1 Purpose

This module will be useful to students with an interest in law but who do not want to become attorneys or advocates in private practice. The legal knowledge can be used to uplift communities or assist ordinary citizens with basic legal advice on an informal basis.

2.2 Outcomes

After successful completion of the module you should be able to:

- Define and differentiate a paralegal from other legal professionals and their role in the legal sphere.
- Explain the role of paralegals in terms of the Constitution and within different institutions and their training in the legal sphere.
- Apply the practical skills a paralegal must have in given case scenarios.

3 LECTURER(S) AND CONTACT DETAILS

3.1 Lecturer(s)

The lecturers responsible for this module are Mr Happy Raligilia and Mr Kodisang Bokaba.

All telephonic and email enquiries that are NOT of a purely administrative nature but are about the contents of this module, should be directed to:

The primary lecturer for this module is **Konanani Raligilia**:
Department: Jurisprudence
Brooklyn House, 2nd Floor, Office 2-32
Veale Street, Brooklyn
Telephone: +27 12 433 9444
E-mail: raligkh@unisa.ac.za

The secondary lecturer for this module is **Kodisang Bokaba**:
Department: Jurisprudence
Brooklyn House, 2nd Floor, Office 2-18
Veale Street, Brooklyn
Telephone: +27 12 433 9517
Email: bokabkm@unisa.ac.za

Please have your study material at hand when you contact us about the contents of the module. Feel welcome to visit us to discuss any queries or problems. However, please make an **appointment**.

All written enquiries that are NOT of a purely administrative nature but are about the contents of this module should be directed to:

The Module Leader (PAR1501)

Department of Jurisprudence (Brooklyn House)

PO Box 392

Unisa

0003

3.2 Department

You can contact the Department of Jurisprudence at:

Contact: 012 433 9479 or 012 433 9780

email: madihmp@unisa.ac.za or mkhomme1@unisa.ac.za

3.3 University

If you need to contact the University about matters not related to the contents of this module, please consult the publication *study@Unisa* which you received with your study material. This booklet contains information on how to contact the University (e.g. to whom you may write, important telephone numbers, addresses and details of the times certain facilities are open). Always have your student number at hand when you contact the University.

4 RESOURCES

4.1 Prescribed book(s)

There is no prescribed textbook for this module. This means that you do not need to purchase any additional books. You must study the Study Guide. Furthermore, apart from Tutorial Letter 101 (this tutorial letter) you will receive other tutorial letters for this module.

Tutorial letters are part of your study material for assignment and examination purposes. Read and reread each tutorial letter. Keep it for reference purposes and study it again.

You will receive an inventory letter containing information about your tutorial matter. Also see the booklet entitled *study@Unisa*. Check the study material you received against the inventory letter. You should have received all the items specified in the inventory, unless there is a statement like “out of stock” or “not available”. If any item is missing, follow the instructions on the back of the inventory letter without delay.

Students who have access to the internet can view the study material and tutorial letters for the modules for which they registered on the University’s online campus, myUnisa, at http://my.unisa.ac.za.

4.2 Recommended book(s)

There are no recommended books for this module.

4.3 Electronic reserves (e-reserves)

There are no e-reserves for this module.

4.4 Library services and resources

The Unisa Library offers a range of information services and resources:

- For detailed Library information, go to https://unisa.ac.za/library
- For research support and services (eg personal librarians and literature search services), go to https://www.unisa.ac.za/sites/corporate/default/Library/Library-services/Research-support
- The Library has created numerous Library guides: https://libguides.unisa.ac.za

Recommended guides:

- Request and download recommended material: https://libguides.unisa.ac.za/request
- Postgraduate information services: https://libguides.unisa.ac.za/request/postgrad
- Finding and using Library resources and tools: https://libguides.unisa.ac.za/research-support
- Frequently asked questions about the Library: https://libguides.unisa.ac.za/ask
- Services to students living with disabilities: https://libguides.unisa.ac.za/disability
- Assistance with technical problems accessing the Unisa Library or resources: https://libguides.unisa.ac.za/techsupport

You may also send an e-mail to Lib-help@unisa.ac.za (please add your student number in the subject line).

5 STUDENT SUPPORT SERVICES

The study@Unisa brochure is available on myUnisa: www.unisa.ac.za/brochures/studies

This website has all the tips and information you need to succeed at Unisa.

6 STUDY PLAN

For information and suggestions regarding general time management and planning skills, please consult the publication *study@Unisa*.

7 PRACTICAL WORK

Use your *study@Unisa* brochure for tips on general time management and planning skills.

8 ASSESSMENT

8.1 Assessment criteria

Although students may work together when preparing assignments, each student must write and submit his or her own individual assignment. In other words, you must submit your own ideas in your own words. **It is unacceptable for students to submit identical assignments on the basis that they worked together. That is copying (a form of plagiarism) and none of these assignments will be marked. Furthermore, you may be penalised or subjected to disciplinary proceedings by the University.**

Please read the Plagiarism Policy of the College of Law as provided at the end of this tutorial letter. Also note that you have to complete and attach the Academic Honesty Declaration (see the ADDENDUM) when you submit a compulsory assignment.

8.2 Assessment plan

How the assessment system works: Only students who submit the compulsory assignment (Assignment 01) on or before the date of submission will be admitted to the examination. If you do not submit Assignment 01, you will not be admitted to the examination.

Both Assignments 01 and 02 will be taken into account for your year mark. Your year mark constitutes 20% of your final mark. You need to obtain at least 40% in the examination before your year mark will be taken into account.

How will this work in practice?

- Your MARK counts 20% (Assignment 01 counts 10% and Assignment 02 counts 10%) of your final mark.
- Your EXAMINATION MARK counts 80% of your final mark.
- Your FINAL MARK for the module will thus be calculated as follows: 20% (year mark) + 80% (examination mark) = 100% (final mark).

8.3 Assignment numbers

8.3.1 General assignment numbers

Assignments are numbered consecutively per module, starting from 01. This tutorial letter contains the following assignments:

(1) Assignment 01 and assignment 02 for first-semester students.

(2) Assignment 01 and assignment 02 for second-semester students.

8.3.2 Unique assignment numbers

In addition to the general assignment number, each assignment has a unique number. These unique numbers appear on the assignments below. Please ensure that this unique number is clearly indicated on the assignments that you submit to the University.

8.4 Assignment due dates

Please note that NO ASSIGNMENTS WILL BE ACCEPTED after the relevant due date. Also, please note that your lecturers cannot grant any extension for the late submission of assignments.

The closing dates for the submission of Assignments 01 and 02 are:

► **First semester**

Assignment 01: 17 March 2021 (unique number: 845113)

Assignment 02: 16 April 2021 (unique number: 846578)

► **Second semester**

Assignment 01: 11 August 2021 (unique number: 785530)

Assignment 02: 08 September 2021 (unique number: 890790)

8.5 Submission of assignments

Students may submit written assignments either by post or electronically via myUnisa. Assignments may not be submitted by fax or e-mail. For detailed information and requirements as far as assignments are concerned, see the brochure *study@Unisa*.

Assignments sent via post should be addressed to:
The Registrar
PO Box 392
UNISA
0003

To submit an assignment via myUnisa:

- Go to myUnisa.
- Log in with your student number and password.
- Select the module.
- Click on assignments in the left-hand menu.
- Click on the assignment number you want to submit.
- Follow the instructions on the screen.

8.6 The assignments

First semester assignments

ASSIGNMENT 01

ASSIGNMENT FOR FIRST SEMESTER STUDENTS ONLY

UNIQUE NUMBER: 845113

SUBMISSION DATE: 17 MARCH 2021

Why are paralegals (especially community-based paralegals) better equipped than legal professionals to deal with certain issues? **[10]**

ASSIGNMENT 02

ASSIGNMENT FOR FIRST SEMESTER STUDENTS ONLY

UNIQUE NUMBER: 846578

SUBMISSION DATE: 16 APRIL 2021

SECTION A

This section consists of five multiple-choice questions. Choose only ONE correct answer for each question. Your answers to the questions must be completed on a Unisa MARK-READING SHEET or submitted electronically via myUnisa.

QUESTION 1

Indicate the CORRECT statement:

One of the advantages of paralegals is that they are …

1. skilled in resolving disputes by resorting to formal legal processes.
2. situated in areas where there is no need for simple legal advice.
3. skilled in successfully litigating divorce cases..
4. situated in areas where there is a need for simple legal advice.

QUESTION 2

Indicate which of the following is NOT CORRECT:

The following are characteristics of a paralegal:

1. A paralegal has a basic knowledge of the law.
2. A paralegal can be employed at a law firm.
3. A paralegal can work at a community centre.
4. A paralegal is a legal professional.

QUESTION 3

Indicate the CORRECT statement:

Negotiation takes place when

1. two or more people who are in conflict meet with each other and attempt to resolve the conflict.
2. two disputing parties agree to ask a third person to help them to resolve the dispute between them.
3. two or more disputing parties request a judge to resolve the dispute for them.
4. two or more parties in a dispute request an arbitrator to resolve their dispute.

QUESTION 4

Indicate the CORRECT statement:

A sworn statement must be signed by you before the Commissioner of Oaths. The following person is a Commissioner of Oaths...

1. law firm paralegal.
2. paralegal.
3. bank manager.
4. final year law students.

QUESTION 5

Indicate the CORRECT statement:

When conducting an interview, a paralegal is encouraged to speak to the client in

1. the language that the paralegal speaks fluently.
2. a universal language, namely, English.
3. he client's own language.
4. the language in which the paralegal was trained.

SECTION B

This section consists of five true/false questions. The answers to these questions must ALSO be completed on the Unisa MARK-READING SHEET.

You must indicate whether a statement is TRUE or FALSE. If you are of the opinion that the statement is TRUE, mark (1) on the mark-reading sheet. If you think that the statement is FALSE, you must mark (2) on the mark-reading sheet.

QUESTION 6

The Legal Aid Board is funded by the government and employs paralegals to work in their justice centres.

1 TRUE
2 FALSE

QUESTION 7

Law clinics provide back-up legal services for paralegal advice offices situated in urban communities with wealthy inhabitants.

1 TRUE
2 FALSE

QUESTION 8

As a paralegal, you should *only* be able to communicate with the client who seeks the advice.

1 TRUE
2 FALSE

QUESTION 9

A description of the legal problem must be provided on the instruction sheet of the file.

1 TRUE
2 FALSE

QUESTION 10

The petty cash is used to make small payments in cash.

1 TRUE
2 FALSE

[10]

NO ASSIGNMENTS MAY BE SUBMITTED BY E-MAIL OR FAX.

All assignments must be submitted in typed or hand-written format.

Please note the submission dates for assignments. No extensions will be granted.

Second semester assignments

ASSIGNMENT 01

ASSIGNMENT FOR SECOND SEMESTER STUDENTS ONLY

UNIQUE NUMBER: 785530

SUBMISSION DATE: 11 AUGUST 2021

Certain matters that paralegals come across must be referred to an attorney. How can a paralegal provide support to both the attorney and client when a matter is referred?

[10]

ASSIGNMENT 02

ASSIGNMENT FOR SECOND SEMESTER STUDENTS ONLY

UNIQUE NUMBER: 890790

SUBMISSION DATE: 08 SEPTEMBER 2021

SECTION A

This section consists of five multiple-choice questions. Choose only ONE correct answer for each question. Your answers to the questions must be completed on a Unisa MARK-READING SHEET or submitted electronically via myUnisa.

QUESTION 1

Indicate the CORRECT statement:

A paralegal _____

1. has a law degree.
2. is a legal professional.
3. has informal legal training.
4. specialises in court work.

QUESTION 2

Indicate the CORRECT statement:

Paralegals who work in law firms are responsible for

1. instructing advocates on legal matters.
2. instructing attorneys on legal matters.
3. preparing simple general legal documents.
4. representing clients in the Constitutional Court.

QUESTION 3

Indicate the CORRECT statement:

Arbitration is when two disputing parties…

1. request a third person to resolve the dispute for them.
2. meet with each other in order to try and agree on the best way to resolve the dispute.
3. agree to ask a mediator to help them to resolve the dispute between them.
4. two or more people who are in conflict meet with each other and attempt to resolve the conflict.

QUESTION 4

Indicate the CORRECT statement:

Whenever you receive money from someone you must issue that person with a …

1. bank statement.
2. receipt.
3. cash book.
4. deposit slip.

QUESTION 5

Indicate the CORRECT statement:

Whenever you are consulting with a client, you have to ensure that you use …

1. jargon words such as legal consequences.
2. a legal dictionary so that the clients can see that you know the law.
3. simple words that the client will understand.
4. references to foreign cases so that the client can have your confidence.

SECTION B

This section consists of five true/false questions. The answers to these questions must ALSO be completed on the Unisa MARK-READING SHEET.

You must indicate whether a statement is TRUE or FALSE. If you are of the opinion that the statement is TRUE, mark (1) on the mark-reading sheet. If you think that the statement is FALSE, you must mark (2) on the mark-reading sheet.

QUESTION 6

Section 35 of the Constitution provides for the right to equality before the law and the right to equal protection and benefit of the law.

1. TRUE
2. FALSE

QUESTION 7

Paralegals may not under any circumstances act outside their mandate or instructions.

1. TRUE

2. FALSE

QUESTION 8

Once a paralegal has referred his/her client to the relevant agency or organisation, he/she is no longer involved in the case at all.

1. TRUE

2. FALSE

QUESTION 9

A sworn statement or affidavit must be signed before a Commissioner of Oaths.

1. TRUE

2. FALSE

QUESTION 10

One of the training methods that a facilitator can use at a workshop is the method of "go-arounds". This method works very well in workshops consisting of large groups of participants.

1. TRUE

2. FALSE

[10]

NO ASSIGNMENTS MAY BE SUBMITTED BY EMAIL OR FAX.

All assignments must be submitted in typed or hand-written format.

Please note the submission dates for assignments. No extensions will be granted.

8.7 Other assessment methods

There are no other assessment methods for this module.

8.8 The examination

PAR1501 is a semester module. This means that if you are registered for the first semester you will write the examination in May/June 2021 and the supplementary examination will be written in October/November 2021. If you are registered for the second semester you will write the examination in October/November 2021 and the supplementary examination will be written in May/June 2022.

During the course of the semester, the Examination Section will provide you with information regarding the examination in general, examination dates and examination times.

You will receive more information on the format of the examination paper in the follow-up tutorial letter that will also contain the commentaries on the assignments.

The University makes previous examination papers available on myUnisa.

9 FREQUENTLY ASKED QUESTIONS

The *study@Unisa* brochure contains an A-Z guide of the most relevant general study information. Please consult this brochure before contacting the University or your lecturers.

10 SOURCES CONSULTED

The Study Guide is the main source for the module PAR1501. It is available and accessible on *my*Unisa

11 IN CLOSING

We trust that you will enjoy this module. Please remember that you are welcome to contact any of us should you have any questions relating to the content of this module. We wish you success with your studies.

Enjoy the journey!

Konanani Raligilia – Primary lecturer for PAR1501

Kodisang Bokaba – Secondary lecturer for PAR 1501

12 ADDENDUM

ACADEMIC HONESTY DECLARATION

DECLARATION

1. I understand what academic dishonesty entails and am aware of Unisa's policies in this regard.

2. I declare that this assignment is my own, original work. Where I have used someone else's work I have indicated this by using the prescribed style of referencing. Every contribution to, and quotation in, this assignment from the work or works of other people has been referenced according to this style.

3. I have not allowed, and will not allow, anyone to copy my work with the intention of passing it off as his or her own work.

4. I did not make use of another student's work and submitted it as my own.

NAME: …….

SIGNATURE: …….

STUDENT NUMBER: ……

DATE: ……