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# Introduction to the Paralegal Scheme

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# Problem Statement

- High cost of legal services.
  - Reluctance of lawyers including NYSC, to work in the rural areas.
  - Proximity of services to citizens.
  - Need to demystified the legal system.
  - Congestion in courts.
  - Delay in dispensation of justice.
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# Objectives of the scheme

- To demystify the law & equip non-lawyers with knowledge of the basic tenets of the law, legal rights & duties to enable them use the law & the courts effectively to enforce human rights.
  - To produce a critical mass of legally literate persons able to provide free legal assistance to the indigent at the community level.
  - To make up for the dearth of lawyers in the rural areas & bring legal services to the doorsteps of the grassroots.
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# Activities

- Training of paralegals,
  - Deployment of paralegals,
  - Establishment of legal aid clinics,
  - Provision of free legal services & counseling services,
  - Referral service,
  - Monitoring of the activities of paralegals (unscheduled visits),
  - Production & distribution of simplified pamphlets on legal issues,
  - Annual evaluation workshops.
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# Course content

- Overview of the Paralegal scheme,
  - Nigeria Legal System,
  - Law of Contract, Constitution, Tort, Land, Family, Inheritance
  - Child's Rights Act,
  - Road Traffic Law,
  - Human rights, Gender, Democracy, Leadership, Communication & Mobilisation, ADR, interview, etc.
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# Methodology

- Highly participatory & interactive.
  - Lectures & Handouts,
  - Role-play & case studies,
  - Discussions & group Work,
  - Brainstorming & experience sharing.
  - CIRDDOC Paralegal Handbook serves as permanent reference material for the Paralegal.
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# Legal Aid Clinics

- Offices from which the paralegal operates.
  - Usually located in easily accessible places to facilitate usage.
  - Open to the public, particularly the indigent who cannot afford the cost of legal service.
  - People come with their problems with high expectations to be assisted.
  - Role of the Paralegal is to provide legal advice & assist clients to decide the next line of action to take.
  - A file is opened for each client that visits the clinic & a record of the service provided is recorded in the file.
  - Files & records of all these cases are confidential & are kept at the legal aid clinic.
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# The Ethics of a Paralegal

- **Impersonation is prohibited.**
  - **Confidentiality**
  - **Information management**
  - **Record keeping**
  - **Polite Services**
  - **Swift service**
  - **Impartiality**
  - **Fairness and justice**
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# Things a Paralegal must never do

- **Never** claim to be a lawyer.
  - **Never** charge fees for your service.
  - **Never** ask for or receive any form of gratification for services or counseling rendered by you.
  - **Never** meddle in complex legal problems or issues.
  - **Never** take the position of a judge in any matter
  - **Never** lose your temper even when people are rude to you.
  - **Never** discuss a client's case with friends or relations.
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# The ideal paralegal

- Committed to community development.
  - Willing to work in his/her community.
  - Live & work with the people in the community.
  - Honest, dependable, trustworthy & respectable.
  - Possess the passion to help others.
  - Not a qualified lawyer & should not claim to be one.
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# The Tasks of a Paralegal

- Assist the client fill out the information/Eligibility sheet.
  - Open a file.
  - Interview the client.
  - Record information about the client.
  - Make the client feel comfortable & relaxed in your presence
  - Identify the nature of the problem.
  - Decide whether it is a case that can be handled by Paralegal or for referral.
  - Decide which agency can offer assistance.
  - Provide legal advice & refer if necessary.
  - Record all communications & keep records confidentially.
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# Administrative Duties

- Paralegal work involves some admin duties.
  - Keep proper records of clients, the problems they consult you about & the referrals you make.
  - Paralegals are supplied with a set of forms for this purpose.
  - Information on these forms is treated as confidential.
  - Paralegal is expected to prepare & submit quarterly reports of work done.
  - Ensure that all forms are correctly completed & all relevant papers are filed.
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# Day To Day Office Administration

- **Memorandum**

- To: Executive Director

- Date: November 19, 2007

- From: Paralegal (Name) \_\_\_\_\_

- Re: Supplies

- Please Action  Please return with comments  Please circulate for your information

- **△ please send two packets of typing sheets**

- **△ Disbursement Forms**

- **△ Refund of transport expenses.**

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# Reports

- Regular reports are required from a Paralegal (**(Preferably monthly)**) to include the following information:
  - Number of new clients attended to & brief summary of facts,
  - Number of pending cases & summary of facts,
  - Details of any meeting attended,
  - Record information in your diary or notebook,
  - Subsequently, use information to write a brief & accurate record of your activities each month.
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# Correspondence

- You will also receive letters through the post, hand delivered or brought by the clients themselves. There are several points to note:
  - Take note of date on the postmark as a record of when the letter was posted in case it is needed in court later.
  - Stamp the letter with your rubber stamp, & underneath write 'Received' & the date on which you received it. Be methodical about this: Don't open post until you are in your office with your rubber stamp pad, pen, etc.,
  - Always keep a copy of any correspondence you send in the client's file as a record of the action you have taken in the case.
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# Establishing a work routine

- Regular hours of work
  - Decide the office days & field days when you will be out visiting.
  - Put up a notice on the door giving days and times of opening.
  - Try to keep to the published routine.
  - When you must be out, put up a notice advising clients when the clinic will be closed & when it will reopen.
  - When the clinic is open, be available to see clients.
  - Develop an appointment system so as not to keep clients waiting.
  - Be sympathetic to those who have traveled long distances to see you.
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# Contents of a Case file

- Eligibility form
  - Interview form with personal details: Name, Ref No.
  - Client statement form – for literate clients
  - Case referral Form/letter to agency – in case of referral
  - Copies of correspondence sent on client's behalf,
  - Letters & other correspondences received,
  - Details of telephone calls or other inquiries made or received on behalf of the client,
  - Receipts of all expenditures made on her behalf,
  - Documents submitted by the client e.g. marriage certificate, pay slips, etc.
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# Dealing with Client's Case

- Invite the other party to hear his/her defence, preferably through a letter.
  - **Steps to Drafting the Letter**
  - Explain why you are writing on behalf of client
  - What is the client demanding from the other party?  
Give details: Be specific.
  - What would you like the person to do?
  - What will you do if he doesn't comply?
  - However, don't threaten.
  - End.
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# Interview & Mediation

- Presentation on interviewing a client & Mediation will be useful here.
  - If agreement is reached, draft the terms of settlement for signature by the parties.
  - If settlement is not reached, refer the case for litigation.
  - Refer to paralegal Handbook always.
  - Close the file.
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