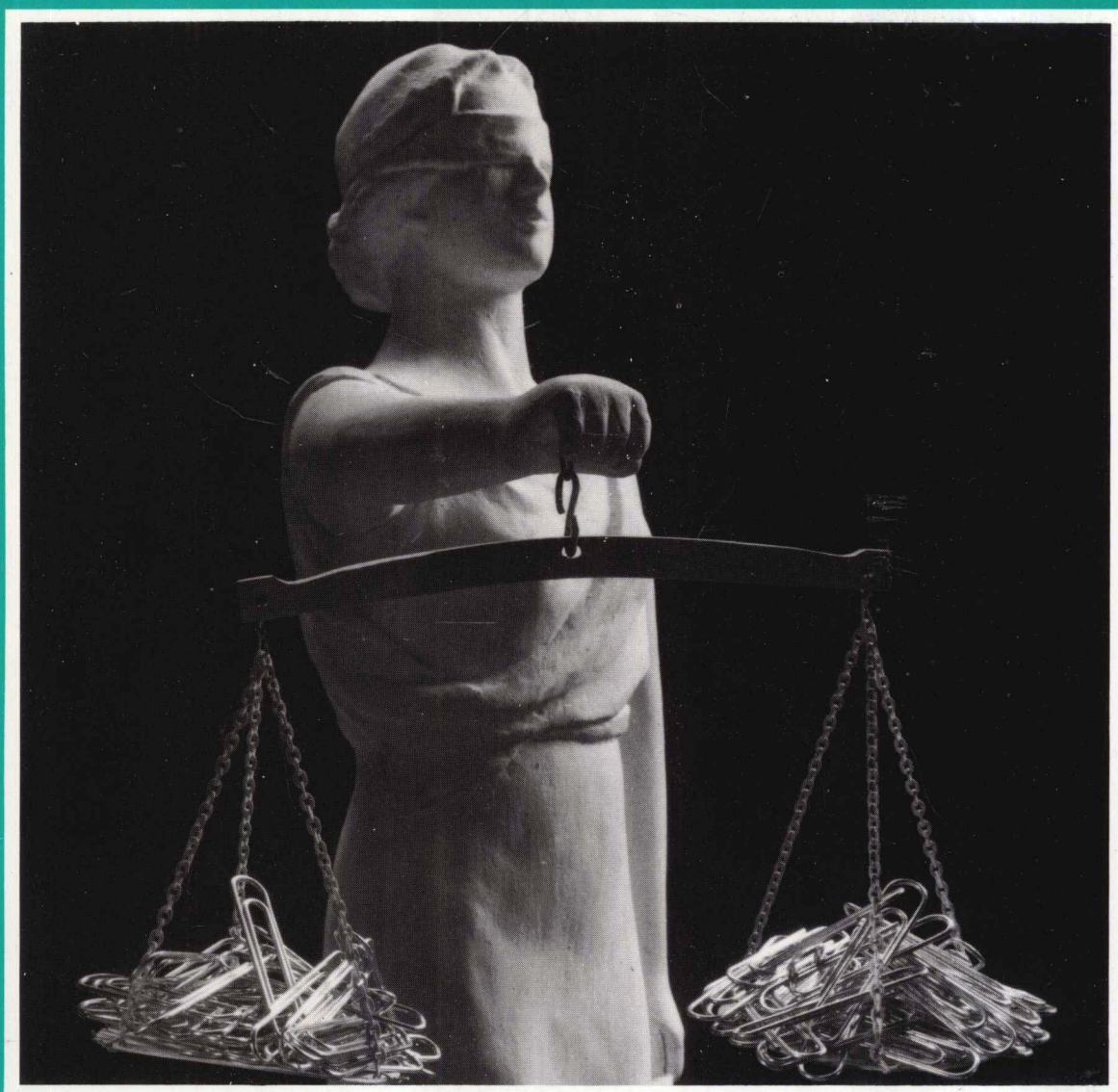


L E G A L

# *Office Procedures*

COLLEGE SERIES



BATE • CASEY  
SECOND EDITION

# **LEGAL OFFICE PROCEDURES**

**SECOND EDITION**

**Marjorie Dunlap Bate  
Mary C. Casey**

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# Preface

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With the constant surge of new developments in the legal profession and increasing demands on their time, lawyers must rely more and more on competent, resourceful secretaries who can adjust to new situations and assume responsibility. The classified advertisements in the Sunday papers reveal that there is no shortage of jobs for legal secretaries: qualified people are in demand and command excellent salaries. Students who embark on this training program and are committed to becoming topflight legal secretaries can look forward to rewarding jobs.

*Legal Office Procedures, Second Edition*, is designed to help train students to become competent, resourceful legal secretaries. While the text specifically prepares students to handle the most common legal situations they will face on the job, it also equips them with the perspective and the capacity for decision making they will need later to adapt their knowledge and skills to any situation they encounter in a law office.

This edition of *Legal Office Procedures* employs the most advanced techniques in office education. It was previously assumed that students would be introduced to the various aspects of a legal secretary's job in separate courses and would wait until they were on their first job before they pulled everything together. Today an integrated application of skills and knowledge is taking place in the classroom through the use of simulations. Students now learn to perform the duties of the legal secretary under realistic conditions—with realistic input (written and oral) from a variety of sources, with access to a variety of realistic records (files, documents, diaries, and the like), and with realistic pressures that require the students to organize their work and set priorities.

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## **SIMULATIONS OF LEGAL OFFICE ACTIVITIES**

Perhaps the most significant feature of this text is the atmosphere of realism, which is especially evident in the simulations of legal office activities at the end of Parts 2, 3, 4, 5, and 7. Within these five 2-day simulations, which build on one another and become progressively more complex, the students must assume the role of a legal secretary and deal with a variety of realistic demands made by lawyers, clients, and other office callers.

Through textbook instruction, students learn what materials will be needed and how each simulation will operate. Given this brief introduction to the simulation, students then must listen to taped conversations between Anita Conway—the secretary with whom the students will identify—and the lawyers or clients. The recorded material, which is packaged in cassette form, may be used by the students individually or by the class as a whole. (A complete transcript of the material appears in the *Instructor's Manual and Key*.) Then, working from notes they have made on the basis of these conversations, students are expected to perform a variety of realistic tasks in the manner they feel appropriate. Thus students must continually emulate the on-the-job secretary by organizing their work, setting priorities, and using good judgment. As a result, students should find this course not only a more realistic kind of training but also a more enjoyable and more productive course than one based chiefly on traditional textbook materials.

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## **INTEGRATING PROJECTS**

Within each chapter of the text, integrating projects occur at frequent intervals so that students can immediately apply the procedure or information they have just studied. Moreover, these projects offer a long-range benefit in



that the specific records and correspondence that the students create in these individual projects are later used in the simulations.

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### PERSONAL DEVELOPMENT ACTIVITIES

At the end of each chapter, students will find the Personal Development Activities, which include group projects, thought-provoking topics for in-class discussion, situations for role playing, and exercises for vocabulary development. A list of recommended readings is also included. Through these activities, students will develop a deeper understanding of their chosen profession as well as acquire greater effectiveness in interpersonal relationships.

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### GROUP PROJECTS

To produce a textbook that covers the legal office procedures in every state of the United States is impossible, for procedures vary not only from state to state but from one jurisdiction to another. This text presents general guidelines on how to prepare, file, and serve various types of documents. At the end of most chapters there are one or two group projects involving research on local practices. These projects will enable the students to learn about the procedures and formats to be followed in their communities. In addition to learning about local usage, the students will be provided with an invaluable opportunity to make many important contacts within the legal profession.

In completing the projects and simulations in this program, the students will work for the law firm of Ashton & Grainger. Although the firm is located in New York City, the format and procedures followed are not necessarily those of New York State. While it is true that many of the illustrations in the text and the printed law blanks in the working papers are New York State forms, they are typical of forms used everywhere. If students learn what information is to be inserted and where and how it is typed on these forms, they will have no difficulty in adapting to forms they will actually use on the job. The same is true of the wholly typed documents. If you prefer to follow local format in your classroom, the textbook is flexible enough to allow you to do so. Under these circumstances, the group projects should be assigned prior to studying the chapter and performing the projects.

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### TEXT DEVELOPMENT

To the greatest extent practicable, *Legal Office Procedures* presents topics for discussion and application not only in the order of their relative complexity but also in the sequence in which the students will most likely encounter them on the job. In Part 1 students get a brief but thorough introduction to various career opportunities available to them and a discussion of the qualifications they must possess. In Part 2 students study and apply techniques for handling telephone calls from clients, scheduling appointments, meeting clients, and preparing correspondence. In Part 3 they learn to deal with noncourt documents, including papers concerned with probate. In Part 4 they learn about the court system, the origin of the laws, and how to prepare various types of court documents. In Parts 5 and 6 the students will spend a good amount of time dealing with litigation papers as well as learning about the preparation of papers concerned with domestic relations and appeals. After studying these legal duties, students will then learn in Part 7 about those duties that are related to their employers as business executives—such as planning trips, arranging meetings, and handling financial records. In Part 8 of the text prospective legal secretaries will find helpful pointers for conducting a successful job campaign and suggestions for preparing themselves for professional advancement.

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### REFERENCE SECTION

The Reference Section at the end of the text includes a variety of information that students will find useful throughout the course and subsequently on the job. Of course, the students should become aware of the importance of

consulting both general and specialized dictionaries, handbooks, and other reference sources, both in the classroom and on the job.

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**WORKING PAPERS**

All the blank forms, drafts of documents, docket notes, and incoming correspondence needed to complete the projects and the simulations are provided in the back of the textbook.

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**ACKNOWLEDGMENTS**

We are grateful to all the lawyers and legal secretaries who gave us their advice and recommendations throughout the preparation of this program.

Many court clerks and business firms, whose names appear throughout this book, provided illustrations or descriptive literature, and we thank all of them for their assistance. We are particularly indebted to Julius Blumberg, Inc., of New York City, for providing many of the law blanks used in the text illustrations and in the working papers.

Marjorie Dunlap Bate  
Mary C. Casey

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# To the Student

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You are about to embark on a training program that will help you attain success as a legal secretary. Most secretaries learn how different an office is from a classroom after they start to work in an office. This program will provide you with the opportunity to learn that difference while you are still in the classroom. *Legal Office Procedures, Second Edition*, not only will help you learn how to perform your work assignments and understand the various aspects of your job, but it will also help you utilize this knowledge in a realistic office setting.

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## ORGANIZATION OF THE TEXT

The text is organized in such a way that it leads you step by step through the great variety of things you must know to be a qualified legal secretary. In Part 1 you will learn about the different opportunities available to you and the qualifications you should have in order to enter and succeed in your career.

Part 2 will introduce you to the basic office skills that any secretary must have—how to answer the telephone, greet clients, keep day-by-day records of appointments, prepare correspondence, and maintain and manage files and client financial records.

Much of the work that takes place in a law office involves the preparation of legal instruments for clients. Therefore, from this point on, most of the text is devoted to the proper procedures for preparing and handling documents. In Part 3 you will be dealing with noncourt documents. These are documents that do not have to be submitted to a court for consideration, and you will become familiar with the general guidelines for the use and preparation of these kinds of documents.

Since much of your work will be involved with courts, it is important that you understand the structure of the court system (federal, state, and local) and the sources of laws. In working with commonly used court documents, you will become so knowledgeable about their format, wording, and purpose that you will be able to prepare them with almost no assistance from your attorney-boss. Then you will learn about documents related to litigation—those matters which are in dispute and which are generally settled by court action. You will probably be most interested in the documents and procedures that relate to the development of evidence for a case because these activities are so prevalent in the news today. You will also learn about other kinds of court actions and about appeals and legal research. We have provided the guidelines you will need as a legal secretary in Parts 4, 5, and 6.

Your boss will be not only an attorney but also a business executive with the usual executive's activities and responsibilities—to the legal profession, to the community, and to the business aspects of the law firm. Part 7 will help you learn how to perform some of the special services that every personal secretary performs, such as arranging trips, setting up meetings, and handling office financial records.

Part 8 will provide you with guidelines you will need for obtaining the position you want and preparing yourself for advancement or specialization.

When you are working in an office, you will often refer to a variety of materials for reference purposes. The information that appears in the Reference Section following Part 8 will be of help to you both in the classroom and on the job.

In order to add to the realism of the assignments you will be performing, you will need a variety of office forms, legal forms, source documents, and



drafted materials. These items are in the Working Papers section at the back of this book.

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## REALISTIC PROJECTS

Success is rarely measured by how much you know but rather by your ability to use that knowledge effectively. Therefore, throughout this program you will be asked to apply the information you have just studied to specific office tasks. You will be working for the firm of Ashton & Grainger, and you will be asked to perform many different kinds of assignments and to deal effectively with the variety of problems which can occur in an office.

As you work your way through each chapter, you will find a number of office-style jobs, each of which will follow a moderate amount of text reading. The projects will directly relate to the reading that precedes them. These projects will require you to do an assignment instead of having you explain how or why you would do it. Because these assignments are office-style jobs and because the materials you prepare in them will be needed for future assignments, you will have to assemble all the materials you prepare in a set of files, just as you would in an office.

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## OFFICE SIMULATIONS

To give an added dimension to the realism of this training program, office simulations are provided at the end of Parts 2, 3, 4, 5, and 7. In a real office you receive your work assignments in a variety of ways. You get written input from the incoming mail and from notes, handwritten drafts, or corrected typed drafts that your boss gives you. You get oral input from dictation which you must transcribe, from telephone calls, and from people stopping at your desk and asking you to do something for them. In these office simulations, you will work with the same kinds of written input, only here it will consist of papers you prepared in the projects as well as forms, drafted documents, incoming mail, and other materials included in the Working Papers section at the back of this book. The oral input will come from recordings provided by your instructor. The text gives you general directions for the operation of each simulation as well as a complete listing of all the projects you should have completed up to that time.

For the purpose of the simulations, you have been given a name—Anita Conway. During the simulations, each of which will last two class periods, you will hear conversations between Anita and the lawyers, clients, and other office callers. On the basis of these conversations, you will be required to perform some type of office activity. You must listen carefully to each of the conversations and then decide on the most appropriate way to perform all the assignments given you. You will have to make notes on telephone calls, file, take and transcribe dictation (or transcribe from machine dictation if you do not know shorthand), schedule appointments, and so on. You will be given a great deal of work to do in a limited amount of time, and people will interrupt you just as they do in an office. You must organize your work, set priorities for completing the assignments, cope with interruptions, and be prepared to reorganize your work and change priorities if necessary. These simulations will help you see how various office tasks relate to each other, and they will give you valuable experience in managing your work under pressure and dealing with normal office problems. In other words, the simulations will allow you to see the job as a whole instead of as a series of isolated tasks. If you truly involve yourself in the simulations, success will be yours as you move from the role of student to the role of secretary.

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## PERSONAL DEVELOPMENT PROJECTS

The chapter projects and the simulations are not the only activities in which you will become involved in this course. The end-of-chapter activities provide stimulating topics for discussion that will help you better understand the activities and responsibilities of a legal secretary; role-playing situations that

will aid you in developing the ability to get along with the people you must deal with daily; vocabulary exercises that will help you understand and use the "language of the law"; and a list of recommended readings that will further your understanding of your career and of the legal profession.

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## GROUP PROJECTS

Although this textbook is comprehensive, no one text can provide you with answers to all the questions you will face on the job. This book does prepare you to deal with these questions and teaches you how to find answers so that you can adapt what you have learned to what you have to do. As a legal secretary, you will discover that procedures vary not only from state to state but from one jurisdiction to another within a state and sometimes from one law office to another. For this reason, at the end of most chapters you will also find one or two group projects designed to help you learn about the procedures followed in your city and state. Obviously, such things as procedures for filing papers with court clerks, the actual amount of filing fees, the format of documents and their headings, and the like will differ. But once you understand the principles behind the procedures, the group projects will help you learn how to adapt the textbook information to your local usage. You should understand that the ultimate thing you must learn is how to do the job in your office for your attorney. Try to remember what one attorney was told in law school: "You don't have to know all the answers—just where to find them." The group projects will help you learn where to find them.

It is important for many reasons that you participate in the group projects. In addition to learning about local procedures, you will get out into the community, into law offices, into the offices of the court clerks, and perhaps even into the courts. You will come to feel at ease in these places and comfortable in talking to legal secretaries, lawyers, judges, and personnel in the clerks' offices.

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## SUPPLIES

As was mentioned before, many of the materials you will need in order to complete the project assignments and the simulations are provided in the Working Papers section at the back of this book. The textbook directions will indicate where to find them and when to use them.

You will also need the following supplies: plain typing paper, a box of legal cap, a pack of carbon paper, 35 manila folders (your instructor will tell you whether they should be letter or legal size), 35 file folder labels, a package of unlined 3 by 5 index cards, a rubber band, a box of paper clips, a note pad, pens, pencils, and a steno notebook if you will be taking shorthand. To keep all these supplies together, you may want to obtain an expanding portfolio file.

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## YOU'RE ON YOUR WAY

Does all of this sound exciting? It should. You have an exciting experience ahead of you as you proceed through your training program. And when you have completed it, you will have a wonderful career ahead of you. *Legal Office Procedures* makes it possible for you to be well qualified as you start on that career. You will proceed logically through the stages of your training program, gaining knowledge, acquiring skills, and attaining the personal attributes that will make it possible for you to succeed. And you will constantly be encouraged to continue to learn throughout your career. If you are successful in your training program, if you take with you the right attitudes toward your job, and if you continue learning, you can expect a most rewarding career as a legal secretary.

Marjorie Dunlap Bate  
Mary C. Casey

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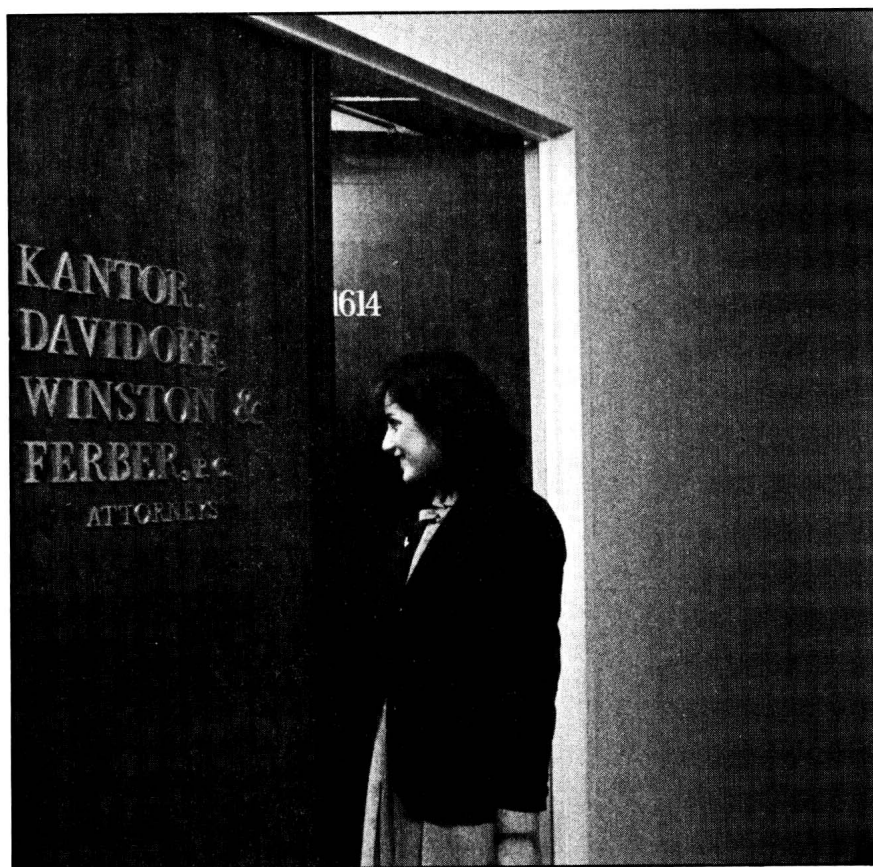
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# 1

# The Legal Secretary's Career



# Your Chosen Profession

Walls lined with books, couches and chairs of leather, tables and desks piled high with file folders and papers, the sound of typewriters, and always someone reading, researching, making notes. The atmosphere is one of dignity, seriousness, and permanence. Large or small, located anywhere in the world, a law office is very much like this. Can there be anything exciting about working in such a setting? A look behind the front-office scene should tell you that there can.

---

## THE LEGAL SECRETARY

When you are employed by a law firm, you will work for one or more lawyers, also known as attorneys, attorneys-at-law, counselors, counsel, or legal counsel. Competent, well-qualified legal secretaries are very special people who provide very important assistance to the attorneys for whom they work. They are an essential element in the law-office team.

### The Law-Office Team

Law offices vary in size from those with only one attorney to those with hundreds. In addition to the attorneys who may be partners in the law firm, there are associate attorneys, law clerks, and people with a wide variety of skills, training, and responsibilities. Depending on the size of the office, there may be receptionists, calendar clerks, file clerks, account clerks, stenographers, librarians, research assistants, and, of course, legal secretaries. Many firms, particularly the larger ones, also employ investigators, trial preparation and other experts, and paralegals, who serve as assistants to the attorneys in many areas not requiring the exercise of a lawyer's judgment. There may also be people concerned only with personnel responsibilities or supervisory responsibilities. One person must serve as office manager. In a small office, that would be the legal secretary. In medium-sized offices there is usually one secretary who is recognized as the head secretary, even if the office does not use this title. The status of this secretary is accepted by all, and this person assumes the responsibility for office management and supervision of the office staff. It becomes apparent that within the law office there is a challenging opportunity for you as a legal secretary to advance to a position of considerable responsibility if you are willing to continue learning on the job and to take relevant courses offered by schools in your area.

### Division of Responsibilities

Many legal secretaries choose to work in small offices serving two or three attorneys because they prefer the variety of responsibilities. They enjoy working closely with highly talented people, the less formal atmosphere, and the greater client contact. Many legal secretaries in small offices even have the opportunity to do some work in the courts and libraries and to assume responsibility for some kinds of decision making. Such secretaries must, of course, be proficient in typing, dictation, and transcription. They must also be prepared to be an accounting clerk, file clerk, law clerk, librarian, and office manager. Other secretaries prefer a medium-sized or large office where they are assigned one or two attorneys whose work may be highly specialized. They may spend most of their time assisting the attorneys in preparing legal papers, and they become very proficient in this kind of work. If they are interested in continuing their education, they have opportunities

for advancement to positions of greater responsibility. As a member of a large office staff, the legal secretary may also have some benefits not available to one who works in a small office. Large companies generally provide their employees with benefits such as life insurance and health plans. And there are intangible benefits such as the opportunity to develop office friendships with fellow workers.

## THE ROLE OF THE LAWYER

To serve effectively as a legal secretary, you should understand something of the background and training of attorneys and have a real comprehension of the demands that their profession makes upon them.

### The Legal Profession



Courtesy American Bar Association

*The American Bar Association is one of the many professional organizations an attorney can be affiliated with. These organizations help lawyers keep abreast of the changes in the law and can add to their professionalism.*

Lawyers have spent many years preparing for their careers. They probably attended a four-year college taking a prelaw major. Then they spent three years in a specialized law school—public or private—learning their profession and preparing to take the state bar examination so that they could obtain a license to practice law in that state. When they receive their license, they are said to be “admitted to the bar”—the term *bar* is synonymous with lawyers. Some attorneys take examinations in more than one state so that they may practice in states other than where they reside. Many attorneys have had additional years of formal education studying a specialized field of law. You will realize as you learn more about the work attorneys do that they never stop studying and learning. The law is constantly changing, and lawyers must keep abreast of changes. Also, the needs of their clients vary, so they must be knowledgeable in many fields in order to serve clients well.

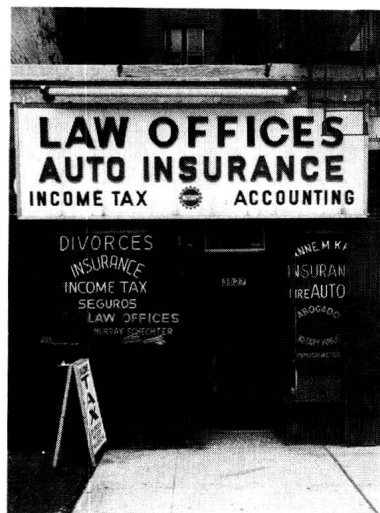
Attorneys take great pride in their profession and work very hard to arrive at positions of respect within it. Lawyers are responsible for decision making with regard to the application of the law, and they take these responsibilities very seriously. The demands made upon lawyers today are increasing constantly. They never stop learning; they must deal with new laws and changes in laws as well as with the society these laws serve. However great their knowledge and special skills, they depend on the books that line their office walls to aid them daily. Because of the increased demands made upon them, lawyers need more and better assistance from their nonprofessional staff.

### Specialization

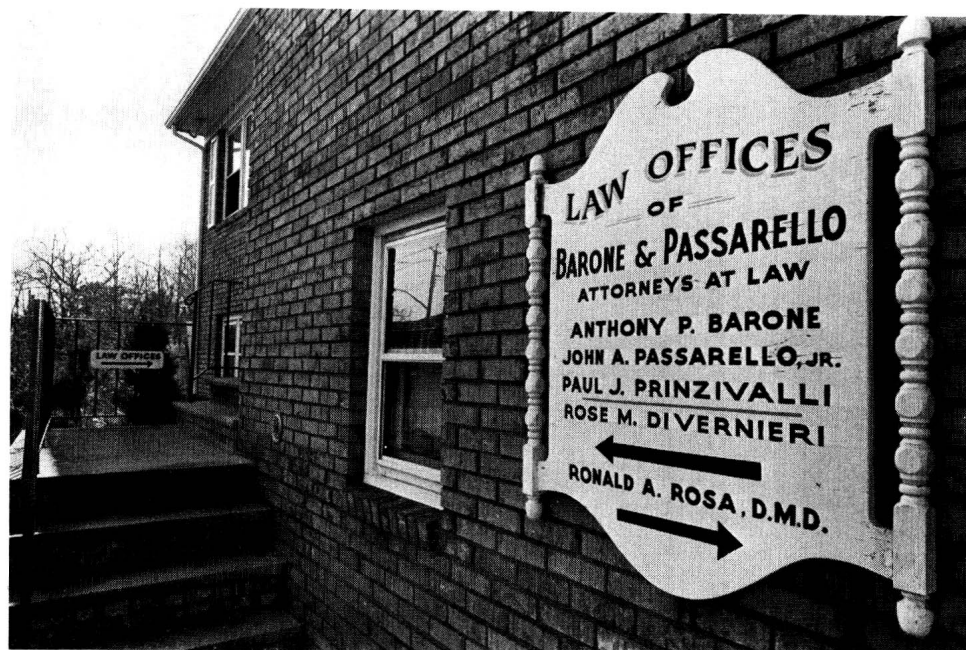
Our court structure reflects the division of legal matters into two general categories—*civil* and *criminal*. In very general terms, civil matters are those that involve protecting the rights of individuals. Criminal matters concern the protection of society from harmful acts. This distinction is dealt with more fully later. Although the practice of criminal law is more dramatic than the practice of civil law and seems more exciting because of television, newspapers, and other media, most attorneys are primarily concerned with the day-to-day processing of civil matters. Some attorneys are attracted to criminal law and specialize in it. Others specialize in certain aspects of civil law, such as wills and estate management, corporate law, personal injury, domestic relations law, tax law, patent law, maritime law, probate or surrogate proceedings, and international law. Others elect to engage in general practice, wherein they serve clients with all kinds of legal problems.

Whether lawyers specialize in one phase of law or not, many of them find that they have special aptitudes and devote the majority of their time to these areas. For example, some lawyers are at their best in the courtroom. They develop reputations as outstanding trial counsel and may be retained by other lawyers to take over a case when it reaches the point of trial. Others do their best work in organizing and managing cases, and still others are particularly skilled in research. When it comes time for you to seek your first





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full-time position, you may elect to work for a lawyer with a specialty that is of particular interest to you. If you work in a large firm and you are assigned to assist one or two attorneys, you will soon learn their areas of specialization and become proficient and knowledgeable in the secretarial responsibilities related to these areas.

### Types of Legal Practice

Many attorneys establish a legal practice as individuals. They may work alone or employ other attorneys to assist them, but one attorney is, in a sense, the owner and the head of his or her small firm. Most law firms are partnerships of several attorneys who may also employ other attorneys (not partners) to assist them. Law firms are business enterprises and are operated to make a profit for their owners—whether an individual or partners. The manner in which the attorneys are compensated is determined by agreements made when the firm is first established or when new members are taken into it. The managers are the *senior partners* or *senior members* of the firm. The attorneys they employ to assist with the work load are generally known as *associates*. Larger firms employ law students or beginning lawyers as *law clerks*, and *paralegals* (sometimes known as *legal assistants* or *lawyers' assistants*) to assist in research and other areas of legal and nonlegal work.

Today, some attorneys are forming corporations instead of partnerships. In these offices, the initials *P.C.* or *P.A.*, or the words *Professional Corporation* or *Professional Association*, or *Inc.* or *Ltd.*, are added to the attorney's or the firm's name.

Some attorneys become employees of one company for which they work on a full-time basis. Large corporations often have a legal staff, and frequently one of the officers of the corporation is an attorney. Some companies employ attorneys *on retainer*. This means that the company pays them a specified amount periodically in return for which they handle any legal problems that the business may have. Other attorneys may be employed on a temporary basis to handle special problems.

More and more attorneys are needed today by government agencies—local, state, and federal. In the area of criminal law, attorneys are employed to represent the people of the state or of the United States in prosecuting

people who have been charged with violating laws. Locally, they are known as *district attorneys* or *deputy district attorneys*. On the state or national level, they are members of the attorney general's staff. The federal government and many local jurisdictions have offices of public defense or public defenders who provide, without charge, defense for people accused of criminal (or civil) actions who cannot afford to pay for their own defense. In the area of civil law, local, state, and federal governments and many public agencies employ attorneys in investigative and regulatory capacities to make certain that the law and all regulations of the agencies are complied with.

No matter how attorneys are employed—whether they work for themselves, for a company, or for a governmental agency—they need efficient help from their secretaries. Although the kind of work a secretary must do varies from situation to situation, the general knowledge and skills needed are basically the same.

## Project 1 Select a Type of Legal Practice

You have learned that attorneys work for small, medium-sized, and large firms. You now know that some engage in general practice, whereas others specialize. Consider what you have learned

about types of law practices, and decide what kind of office you think you would like to work in. Using plain paper, describe the size of the office, the type of attorney, and the type of practice you would choose. Explain why you would make these choices.

Hold this statement until you have completed your training. Then you will be asked to review it and make a final decision about the type of job you will want to seek.

## THE ATTORNEY-CLIENT RELATIONSHIP

Law is a profession concerned with assisting people who have problems that involve local, state, or federal laws or regulations. People who seek help from attorneys are *clients*. Clients may be individuals, businesses, organizations of all kinds—public or private—or corporations. Some clients regularly seek advice and assistance from their attorneys on all kinds of matters, while others call on their attorneys only occasionally. In any case, they may want legal papers prepared, they may want the attorney to represent them in court, or they may simply want advice on a legal matter. The welfare of the client is the primary concern of the attorney, the secretary, and every member of the office staff.

The relationship between lawyer and client is *privileged*. This is the same kind of special relationship that exists between husband and wife, doctor and patient, and clergyman and parishioner. Any communication, whether written or oral, between these people is a privileged communication, which means that it is confidential. The law protects the confidentiality of privileged communication. No court can force a husband to testify against his wife, or vice versa. A lawyer cannot be called as a witness and asked to reveal information given by a client. The same is true of doctors and clergymen. The privileged nature of communication between lawyer and client affects every member of the attorney's staff, including all secretaries. Information obtained in the course of working in the law office *must* be kept in the strictest confidence.

## Your Responsibilities

All secretaries—legal or other—owe their boss two very special things: loyalty and confidentiality. But legal secretaries have a special responsibility to keep to themselves any information they may obtain as a result of their position. They must not reveal such information to family or friends and should not even discuss it with other members of the office staff.

## Project 2 Understand Your Role

Carefully read the following situations, which are typical of those that occur in a law office. On plain paper, explain how you would handle them.

1. The wife of a prominent member of the community is filing for divorce and has asked your attorney to be her counsel. Would you discuss this with your family, friends, or other secretaries in the firm? Why or why not?

2. Your neighbor was involved in an automobile accident several months ago, and from what you know of the situation, you believe that he was not at fault. He cannot get any satisfaction from the driver of the other car or from the insurance company. He asks you whether you think he should sue the other driver. How would you answer him?

## PERSONAL DEVELOPMENT PROJECTS

**GROUP PROJECT** If your class has agreed to participate in the group projects, you will have to form some kind of functional organization to carry them out. You will need to elect a leader, who may be changed from time to time. You will have to agree to give that leader your support and cooperation, and you must be willing to carry your fair share of responsibility for following through on the group projects in the text. At times, you, as a class, will elect or select one or more students to carry out activities related to the group projects. Some students may wish to volunteer for projects of special interest to them. It is important that the burden for the projects does not fall on only a few members of the class. Everyone should participate.

At this point, you should select your first leader. You may also decide to select someone who will keep a record of the projects in which each class member participates. Then you should discuss how the class will participate in the group projects. Should students be allowed to volunteer? Should the leader appoint students to carry out certain projects? Should the class select students for certain projects? At this time, it is recommended that you draw up a set of tentative guidelines for election of leader, rotation of leader, selection of students for each project, and recordkeeping. Later, when you have had a chance to participate in group projects, you may want to rewrite these guidelines, which you may call your class bylaws.

**TOPIC FOR DISCUSSION** The lawyer is a professional person in the true and literal meaning of the

word *professional*. Be sure you know the meaning of this word. If necessary, look it up in the dictionary. What significance does this have for you as a future legal secretary who will be assisting attorneys? What is the relationship of the professional nature of the lawyer's career to the attorney-client relationship and the secretary-client relationship?

**ROLE PLAYING** 1. A friend calls you to tell you that she has heard that a mutual friend of yours is going to adopt a baby. You know about it because the attorney you work for is handling this particular matter.

2. You are ushering a client to the attorney's office. The client starts criticizing the actions of another client still in the waiting room for the way in which she is dealing with the misbehavior of her small child.

**RECOMMENDED READINGS** Gerber, Albert B., *The Lawyer*, World Press, New York, 1972.

Goulden, Joseph C., *The Million Dollar Lawyers*, G. P. Putnam's Sons, New York, 1977.

Miller, Besse M., *Legal Secretary's Complete Handbook*, 2d ed., Prentice-Hall, Inc., Englewood Cliffs, NJ, 1970, Chap. 1.

National Association of Legal Secretaries, edited by Robert B. Krogfoss, *Manual for the Legal Secretarial Profession*, 2d ed., West Publishing Company, St. Paul, MN, 1974.

Reader's Digest, *You and the Law*, The Reader's Digest Association, Inc., Pleasantville, NY, 1971, Chap. 13.

Weinberg, Roy D., *Confidential and Other Privileged Communication*, Legal Almanac Series, No. 61, Oceana Publications, Inc., Dobbs Ferry, NY, 1967.



**LEGAL VOCABULARY**

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|-----------------------------|-----------------------------|
| _____ at•tor'ney            | _____ dis'trict at•tor'ney  |
| _____ at•tor'neys-at-law    | _____ the judge             |
| _____ at•tor'neys gen'er•al | _____ ju'ry                 |
| _____ bai'liff              | _____ jus'tice (a person)   |
| _____ the bar               | _____ jus'tice of the peace |
| _____ the bench             | _____ law                   |
| _____ clerk of the court    | _____ law'yer               |
| _____ cli'ent               | _____ le'gal                |
| _____ con'sta•ble           | _____ le'gal coun'sel       |
| _____ coun'sel              | _____ mag'is•trate          |
| _____ coun'sel•or           | _____ no'ta•ry pub'lic      |
| _____ coun'sel•or-at-law    | _____ par•a•legal           |
| _____ court re•port'er      | _____ pub'lic de•fend'er    |
| _____ dep'u•ty              | _____ sher'iff              |
|                             | _____ U.S. Mar'shal         |

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## Career Qualifications

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When you decided to take this course, which is designed to prepare you to become a well-qualified legal secretary, you made a personal commitment. You decided that this is the kind of work you wish to engage in after you complete your education. You should start this program with the firm conviction that you will become an outstanding legal secretary. However, since it is possible that at this time you do not know much about the duties of a legal secretary or the qualifications that lead to success in this career, this chapter will tell you about the tasks performed by legal secretaries and the qualifications you will need. You will also have an opportunity to assess your present strengths and weaknesses in relation to the requirements for effective performance in this profession.

As a legal secretary you must have or must acquire certain basic skills and a great deal of knowledge about how to perform your many and varied duties. You probably have many of the basic skills already, but you will acquire other specialized skills as you continue your training. And you will acquire the knowledge you need to start on your career.

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### FUNCTIONS AND DUTIES OF A LEGAL SECRETARY

The duties of a legal secretary vary considerably, depending on the kind of office the secretary works in. But all legal secretaries should be able to perform the following tasks well:

1. Take dictation by machine or shorthand and transcribe accurately.
2. Type rapidly and proficiently.