



**DC Paralegal Services**

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## *Paralegal News*

*Thank you for reading this, our Second Edition. A busy month or so has past, and David and I wanted to commit to some time again to write for our readers. Inviting you into a bit of what our day includes, we both face new challenges with each new client issue.*

*We want to explore the demanding part of our occupation.. That is dealing with the ways to make your being wronged... become right. At the very least hopefully lend voice to what to do about it. When you become angry, it is easy to loose focus.*

*To objectively examine four questions relating to your feelings of anger will narrow down your emotional path, when someone hurts you. So ask yourself the four questions.*

*What am I feeling? Why am I feeling this way? What can I do about it ?.....then....What will I do about it ?*

*Tort law brings a fascinating element in the day of a Paralegal. The genuine legitimacy of our profession is best captured in the eye contact and that understanding nod we have when we meet our clients for the first time.*

*Negligence an example of a "Tort", and the delicate art of Contract Law involve more work than one may think. To complete a client file, a Paralegal has point A and point Z to contend with. Obviously with Civil litigation an end result for the client can be shortened or lengthened once the client understands the law and how it deals with bad things that happen to good people.*

*The fill in letters of course B , C... D are all required to be outlined in anticipation that a presented legal document is accepted. To sue in Tort, or in Contract Law, different levels of explanation are expected, while always required for both. Small Claims Courts in Ontario, allow*

*a wrong to be examined.*

*I think this is why sometimes a client may approach just to vent, and only after realized that given all the evidence the client may not have a real case. When a Paralegal provides professional services rendered, it involves the ever important consultation. A fact finding mission involves relentless examination and review.*

*Perhaps objective options bring closure...and that is sometimes found in alternative settlement methods. All in all.. Just because someone thinks they are in the "right", a properly and effectively articulated Statement of Claim can get the results that you need. It may not be the result you want. But it will be a resolution.*

*In Paralegal practice, and from this office by virtue, David and I work diligently to meet many in our community who have a story to write, a voice to be heard. It is vital that you approach your Paralegal with the comfort that an important aspect of our service and practice management is foremost to know our client.*

*Once clearly established, we provide sound legal advice, proper administration of our client files and dedicating the resources to debate instead of argue. Consumer Protection includes asking ourselves during Civil Litigation a well known question. When is it worth it...and what is worth what.*

*Going to Court after the time frame from consultation to trial passes is useful time to navigate and prepare a Statement of Claim. To offer the client a legal opinion of whether or not it's worth it", leads us into ethical discussion. To entertain an effort at explaining further lets ask and answer a question. We must at all times remember to reflect.*

*Did you know that a valid contract must meet requirements. Lets go over some of the basics. You must show Six.. Remember that Six components, they are: 1. Offer and Acceptance, 2. Consideration, 3. Legal Capacity, 4. Legal Purpose, 5. Genuine Assent and 6. Form.*

*In Tort you really need to establish a remedy that doesn't play into*

*anything that relies with a contract... It may seem confusing, but Tort is everything else that can go wrong... and sometimes both Contract Law and other "Tort" become entwined.*

*If you are heading towards Court, you may need to back up and check what's really going on. There are two sides to most stories, while as in some three or even more...did someone say class action?*

*Perhaps next edition.*

*Composing your story will take effort, time, recollection... allowing for the truth to recognize evidence and fact...imagine that !! Even if part of your side did something wrong. When people open up a box, a consequence is just around the corner. The mere upset a client may be feeling, will hopefully translate into an approach that is noble of a civil remedy.*

*Whether the case will succeed, the clients we meet, tend to be at the very minimum thankful for the effort and the listening. If you really have been victimized, and you feel you have to shout it out, then yes... seek an answer.*

*Perhaps the tort is criminal in nature, combined with fraud of contract, leading into negligence for damages resulting of intentional personal harm... believe you me.. Everyday stuff.*

*If you have been "wronged", as simple as it seems, to get to the heart of the Tort we still need to fill in the gaps. To show the law, to show the cause of action, which is vital to succeed for our clients.*

*To prove each element, each component and state all events will mean taking a deep breath.. then telling it like it is. Paralegals understand this, so daily we resource and pool our knowledge with the sincere belief that the client may be heard.*

*A lot of people come to Paralegals with the frustration of being violated on "principle of it" type of issues. I suppose from this author's perspective, Small Claims Court is for those who feel like "punching some body in the nose" when they feel that will be the only way to get through to the adversary, or in real response to someone*

*doing something plain ol' nasty to em...simply retaliating to be nonsensical and cruel.*

*For example...negligence caseload carries a strong onus and obligation to explain everything in order to merit a chance of victory.*

*In business today, as in non business family relationships, or those times of extra curricular activity, as simple as playing Frisbee at the beach for example...innocently trying to navigate amongst the sun bathers, while the disc hurtles at you at an unreachable height... you fumble, you run, you fall.. the Frisbee lands two feet from you.*

*You look up, and see that sand has sprung from its resting into the face of a young child. The child screams, the parents panic. It could be anybody's guess how it all plays out.. Would you attempt to sue the park for having the sand there? Would you attempt to sue the kid for being there? Would you sue the wind for making the Frisbee go away from you? Would the parents sue you for pain and suffering, emotional harm?... I mean after all.. It is a baby...*

*Is this even worthy of being considered a tort...we have to remember that Tort is not involving contract law. Contract Law is different. It meets an obligation for the 6...remember Six to prevail, whereas in tort we must educate the community on contributory negligence...did you add to your own demise. Were you part of the problem.. Contributing to the negligence...what happens next.*

*Meet a Paralegal. Discuss your options. Let your paralegal either get punched or do the punching. Hopefully even without having to go to a formal Court (aka boxing ring)... a trusted paralegal will bring the fighters together and have both arms raised high, while the crowd is impressed with the fight that was fair, and too close to call at the end, always recognizing good sportsmanship.*

*In Tort or in Contract Law, litigation means put up your dukes. A Paralegal will fight hard... a Paralegal will fight smart... a Paralegal will represent your good sportsmanship when the other side puts up a fair and noble defence. A valued Paralegal will offer good sportsmanship even when the other side may choose to fight dirty. Now everybody !! Back to your corner !! Time out !!!*

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