

OAKLAND UNIVERSITY 1901A  
BUSINESS and PUBLIC ADMINISTRATION  
PARALEGAL PROGRAM  
SYLLABUS

**AUTO LAW- 25780**

**Text:** Gordon, *No-Fault Auto Accident Law*  
(West Bloomfield, MI: NLI Publishing, 2016, 20<sup>th</sup> ed.)  
MCL 500.3101- 500.3179, Michigan No-Fault Statutes.

**Faculty:** Allan Gordon, JD  
Juris Doctor, MSU College of Law  
Bachelor of Science, EMU

Professional experience as trial attorney in Michigan and Federal Courts 1973-2010; Past Administrator of mid-size and own law firm; Past University of Phoenix Graduate Law & Ethics Faculty Curriculum Chair; Past Oakland University Paralegal Faculty Curriculum Chair; OU Instructor; Current and Past University Instructor of business and legal education courses in Auto Law, Contracts, Litigation, Business Law, American Government, Intellectual Property Management, Employment Law, Political Science and Critical Thinking; Trial Attorney involved in the Michigan No-Fault automobile constitutional challenge case; Organized and administered free community Legal Aid Program; participated in Detroit Charter Revision Commission; Author of *No-Fault Auto Accident Law* (20<sup>th</sup> ed, 2016). W. Bloomfield, MI: NLI Publishing; Contributing writer- Philo, H.M. (1973). *Trial Handbook for Michigan Lawyers*. Rochester, NY: Lawyers Co-Op Publishing Co; Freelance writer with articles for Detroit Free Press, newsletters, seminars and legal publications.

**Contact Info:** Allan Gordon, Attorney at Law  
(248) 737-0200 a2gordon@oakland.edu

**Availability:** 9am-5pm Monday-Friday by phone or e-mail  
Meetings by appointment; or before class

**Schedule:** 6:30-9:30pm, Once Weekly, 7 Sessions= 21 Hours

**Credit Hours:** 2.1 CEU **Prerequisites:** None

**Course Description:** Comprehensive study of the No-Fault motor vehicle law, its history, auto insurance, and terminology, focusing on 1<sup>st</sup> & 3<sup>rd</sup> Party cases, case preparation, work-up, investigation, case evaluation and trial duties.

**Course Requirements:** Successful completion of required readings, written and oral presentation assignments, document drafting, problems, scenarios, 3<sup>rd</sup> party claims, calculating 1<sup>st</sup> party benefits, investigation techniques, internet & law search, class participation, extra credit, and Final Exam. Sessions further consist of chapter overview, facilitation, discussion, arguments and analysis. As facilitation is an integral part of the learning process, it is a factor in grading.

**Learning Outcomes:**

The following competencies should be achieved through a detailed study of the No-Fault motor vehicle law, providing the ability to apply a fundamental understanding of No-Fault concepts, auto insurance, and terminology. Case preparation: Identification of who can be sued, collectible benefits and damages, 1<sup>st</sup> and 3<sup>rd</sup> Party cases, work-up, client interviewing, investigation, gathering and organization of materials, document drafting, complaints, medical and settlement statements, case evaluation, duties at trial, as well as, the enhancement of organizational skills, legal ethics, critical thinking, written and oral communication proficiencies, reasoning and advocacy skills.

**Academic Honesty:** Plagiarism is a serious academic offense that will not be tolerated and may result in failure for individual projects, course failure, and/or dismissal from the University. Submit work that represents your original words or ideas. Using another’s work or idea without acknowledgement or permission, or cheating in any form, is a serious violation. See Academic Conduct Policy: [www.oakland.edu/pace/paralegal- Policies & Procedures](http://www.oakland.edu/pace/paralegal- Policies & Procedures).

**Attendance:** Attendance is a factor in awarding CEUs with 1 absence allowed for a 7 week course.

**Course Standards:** It is the responsibility of each student to be prepared for each session. All assignments must be submitted on their due date. Students are expected to complete reading assignments prior to the scheduled class. It is required that students actively involve themselves in class discussions. Missing class, being late or unprepared will affect the Class Participation portion of a grade. All documents are to be computer generated, 8½ x 11, 12pt type, stapled in the upper left-hand corner, and comply with University standards. Students are responsible for arranging with a classmate to obtain missed notes, materials, and/or assignments. Set cell phones to vibrate & leave class if a response is necessary.

<b>Evaluation Methods:</b>	Written Assignments & Presentations	50%
	Class Participation	15%
	Final Exam	35%
	Extra Credits (0.5 each)	<u>EC</u>
		100%*

\*-Above ratings could be affected, as course grade may be adjusted one level, based on facilitation, participation, improvement, final exam, extra credit and late assignments.  
 -A .5 is added to the total points for each Extra Credit.  
 -Late assignments are marked down .25 for each week late.  
 -All assignments must be satisfactorily completed for course credit.

A = 4.0  
A- = 3.7  
B+ = 3.3  
B = 3.0  
B- = 2.7  
C+ = 2.3

C = 2.0  
C- = 1.7  
D+ = 1.3  
D = 1.0  
F = 0.0 No credit/CEU

94-100= 4.0  
90-93= 3.7  
86-89= 3.3  
80-85= 3.0  
78-79= 2.7  
76-77= 2.3

70-75= 2.0  
68-69= 1.7  
66-67= 1.3  
60-65= 1.0  
0-59= 0.0

All Sessions include Chapter Overview, Facilitation, Discussion, Oral Presentation, Argument and Analysis. Supplement Assignments with Internet Searches.

	Detailed Topic Outline	Activities/ Assignments
1	<p>INTRO, OVERVIEW OF COURSE</p> <p>A. The Basic Scheme of Course</p> <p>B. The Michigan No-Fault Law</p> <p>C. N/F Study Divided into 6 Areas</p> <ol style="list-style-type: none"> <li>1. Introduction &amp; basic terms</li> <li>2. First Party N/F benefits &amp; lawsuit</li> <li>3. Third Party N/F case</li> <li>4. Pre-trial case work-up</li> <li>5. Trial preparation &amp; duties at trial</li> <li>6. Course Review and FINAL</li> </ol> <p>D. Basic Terms</p> <p>E. Questions to be Asked</p> <ol style="list-style-type: none"> <li>1. Who is injured?</li> <li>2. Does the injury arise out of a motor vehicle accident?</li> <li>3. Is s/he entitled to be paid N/F benefits?</li> <li>4. Is Third Party Carrier liable?</li> </ol>	<p><u>Due Session 2</u></p> <p>Reading Materials: Pages 18-94 (33,35,46-48,54-55)</p> <p>Problem #1, page 12 No-Fault Claims</p>
2	<p>1ST PARTY N/F BENEFITS &amp; LAWSUIT</p> <p>A. The 1st Party Action</p> <ol style="list-style-type: none"> <li>1. How claim arises</li> <li>2. Who can &amp; cannot collect PIP benefits</li> <li>3. Can an injured uninsured person collect N/F benefits?</li> <li>4. Where to collect PIP benefits</li> <li>5. When is 1st Party suit necessary?</li> </ol> <p>B. Overview of N/F 1st Party PIP benefits</p> <ol style="list-style-type: none"> <li>1. Medical &amp; rehabilitation expenses</li> <li>2. Work loss benefits</li> <li>3. Replacement services</li> <li>4. Survivors' loss benefits</li> </ol> <p>C. Property Protection Insurance (PPI)</p> <p>D. No-Fault Claims- Problem #1</p>	<p><u>Due Session 3</u></p> <p>Reading Materials: Pages 95-107,56-58, 33,35-41,50-52,64-71, 25-26,127-128</p> <p>Problem #2, page 13 No-Fault Benefits</p>
3	<p>WHAT CAN BE COLLECTED; PENALTIES</p> <p>A. No-Fault Benefits To Collect</p> <ol style="list-style-type: none"> <li>1. Medical and rehabilitation expenses</li> <li>2. Work loss benefits</li> <li>3. Replacement services</li> <li>4. Survivors' loss</li> <li>5. Property Damage to tangible property or legally parked vehicle</li> <li>6. Governmental benefit setoffs</li> <li>7. Coordinated benefits</li> <li>8. Attorney fees and interest</li> <li>9. Mental anguish damages</li> <li>10. Assigned Claims Plan</li> </ol> <p>B. Penalties</p> <ol style="list-style-type: none"> <li>1. Criminal</li> <li>2. Civil</li> </ol> <p>C. No-Fault Benefits- Problem #2</p>	<p><u>Due Session 4</u></p> <p>Reading Materials: Pages 108-126,35-38</p> <p>Wage Loss Extra Credit</p>

	Detailed Topic Outline	Activities/ Assignments
4	WAGE LOSS, COMPLAINTS, INSURANCE POLICY A. Wage Loss Extra Credit B. Preparing the 1st Party Complaint C. No-Fault 1 <sup>st</sup> Party Contract Complaint Outline D. Your Insurance Policy E. Third Party Complaint Outline	<u>Due Session 5</u>  Reading Materials: Pages 129-152,53-55  Problem #3, page 14 1 <sup>st</sup> Party Complaint
5	3RD PARTY N/F CASE A. 1 <sup>st</sup> Party Complaint- Problem #3 B. Residual Liability Insurance Coverage C. Tort Liability Exemption 1. If insured, then tort liability for non-economic loss if threshold met 2. Tort liability abolished with exceptions: a. Death b. Serious Impairment of Body Function c. Permanent Serious Disfigurement 3. To bring action must surpass threshold and not be more than 50% at fault 4. Tort liability if no insurance D. Fact or Law Question: Summary Judgment, Definitions E. Non-Economic vs. Economic Loss F. Preparing the Complaint Against 3rd Party Tortfeasor	<u>Due Session 6</u>  Reading Materials: Pages 153-211,53-55  Problem #4, page 15 Third Party Complaint  Course Review
6	PRE-TRIAL CASE WORK-UP A. Client Interview B. Case Work-Up C. Case Evaluation (Mediation) D. Settlement Demand E. Third Party Complaint- Problem #4	<u>Due Session 7</u>  Reading Materials: Pages 212-259  FINAL EXAM
7	TRIAL PREPARATION, DUTIES AT TRIAL, SUMMATION, EXAM A. How to Prepare for Trial B. Duties at Trial C. Review Any Remaining Material; Questions & Answers D. Course Evaluations E. FINAL EXAM	

NOTE: ASSIGNMENT SCHEDULE IS SUBJECT TO CHANGE  
The information provided in this Syllabus, Class, Online, or Program shall not be relied upon as legal advice