PELLISSIPPI STATE TECHNICAL COMMUNITY COLLEGE
MASTER SYLLABUS
LITIGATION SKILLS II
LAW 2220

Class Hours: 3.0  Credit Hours: 3.0
Laboratory Hours: 0.0  Date Revised: Spring 02

Catalog Course Description:
A project-oriented course designed to require students to draft pleadings and legal documents in conformity with state and federal rules of procedure as well as local state and federal court rules.

Entry Level Standards:
College-level competencies in logic, reading, and English are required.

Prerequisite:
LAW 2210

Textbook(s) and Other Reference Materials Basic to the Course:
Mauet, Thomas A. and Marlene A. Maerowitz, Fundamentals of Litigation for Paralegals, 3d ed. (Gaithersburg, N.Y.: Aspen, 1999)

I. Week/Unit/Topic Basis:

<table>
<thead>
<tr>
<th>Week</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Introduction</td>
</tr>
<tr>
<td>2-3</td>
<td>Planning the Litigation, Choosing the Court</td>
</tr>
<tr>
<td>4-5</td>
<td>Pleadings</td>
</tr>
<tr>
<td>6</td>
<td>Law and Motions</td>
</tr>
<tr>
<td>7</td>
<td>Motion Practice</td>
</tr>
<tr>
<td>8</td>
<td>Provisional Remedies</td>
</tr>
<tr>
<td>9-11</td>
<td>Discovery</td>
</tr>
<tr>
<td>12</td>
<td>Settlements</td>
</tr>
<tr>
<td>13</td>
<td>Trial Preparation, Trial, Appeal</td>
</tr>
<tr>
<td>14</td>
<td>Enforcement of Judgments</td>
</tr>
<tr>
<td>15</td>
<td>Litigation Guide</td>
</tr>
</tbody>
</table>
II. Course Objectives*:

A. Demonstrate a complete and thorough understanding of legal ethics.  I, III
B. Demonstrate a complete and thorough understanding of the paralegal’s role in civil litigation.  I, II, IV
C. Demonstrate understanding of legal vocabulary with respect to civil procedure. I, II, III, IV
D. Demonstrate an adequate understanding of personal jurisdiction.  I, II, III, IV
E. Demonstrate an adequate understanding of subject matter jurisdiction.  I, II, III, IV
F. Demonstrate understanding of the procedures by which civil litigation is conducted at pre-trial, trial, and appellate stages in the state and federal systems. I, II, III
G. Demonstrate understanding of how civil pleadings must conform to rules of procedure.  I, II, III, IV, V
H. Demonstrate understanding of various discovery devices. I, II, IV
I. Demonstrate an adequate understanding of how a civil case moves through the process.  I, II, III, IV, V
J. Demonstrate an adequate understanding of where to obtain the necessary facts to prove the client's position. I, II, III, IV
K. Demonstrate an adequate understanding of when and how to gather documents that may be used as evidence.  I, II, III, IV
L. Demonstrate understanding of how to use the Internet to gather facts.  I, II, III, IV, V
M. Demonstrate understanding of what prefiling requirements should be considered. II, III
N. Demonstrate understanding of how to develop a litigation strategy. I, II, III, IV, V
O. Demonstrate a thorough understanding of how to draft various pleadings and documents. I, II, III, IV, V

*Roman numerals after course objectives reference goals of the Paralegal Studies program.

III. Instructional Processes*:

Students will:

1. Practice elements of the work ethic such as professionalism, preparedness, punctuality, honesty, cooperation, dependability, contribution, effectiveness, good manners, etc.  *Personal Development Outcome, Transitional Strategy*
2. Refine reading skills and expand legal vocabularies through completion of weekly guided reading exercises that allows more effective communication with lawyers and legal professionals.  *Communication Outcome, Transitional Strategy*
3. Strengthen analytical skills by locating court cases and statutes in the Educational
Resources Center and on Westlaw to determine the application of the rules of law to specific facts. Information Literacy Outcome, Problem Solving and Decision Making Outcome, Technological Literacy Outcome, Transitional Strategy

4. Perform course assignments such as team discussions, team case studies, experiential exercises, oral and written presentations, Internet and law-based technology research, etc. that help develop critical thinking, problem solving, goal setting and planning skills. Communication Outcome, Personal Development Outcome, Cultural Diversity and Social Adaptation Outcome, Problem Solving and Decision Making Outcome, Information Literacy Outcome, Technological Literacy Outcome, Transitional Strategy, Active Learning Strategy

5. Listen to guest speakers from the legal community to learn the demands for paralegal litigation skills in the work world. Personal Development Outcome, Transitional Strategy

*Strategies and outcomes listed after instructional processes reference Pellissippi State’s goals for strengthening general education knowledge and skills, connecting coursework to experiences beyond the classroom, and encouraging students to take active and responsible roles in the educational process.

IV. Expectations for Student Performance*:

Upon successful completion of this course, the student should be able to:

1. Recognize and avoid acts that constitute the unauthorized practice of law. A
2. Recognize and avoid acts that constitute the breach of client confidentiality. A
3. Recognize potential and actual conflict of interest situations. A
4. Explain the differences between civil litigation and other types of litigation. C, F, G
5. Explain where to find the law applicable to litigation matters. B, C, F
6. Identify by proper name and describe the function of federal and state courts having civil jurisdiction. C, F
7. Discuss the paralegal’s role in all stages of civil litigation. B, F, G, H
8. Describe the differences between federal and state court jurisdiction. C, D, E, F, G
9. Describe how to draft pleadings in conformity with rules of civil procedure. B, C, D, E, F, G
10. Explain the general requirements for all motions. B, C, F
11. Explain when a motion for summary judgment is appropriate and describe what must be included in a motion for summary judgment. C, F
12. Explain the purpose of a motion for judgment on the pleadings. C, F
13. Identify the discovery devices available to obtain facts. C, F, H
14. Describe how computers may be used for litigation support. B, C
15. Explain how to draft different forms of discovery. C, F, H
16. Identify the time within which discovery may be conducted. C, F, H
17. Discuss the various ways to prepare a deposition summary. C, F, H

18. Explain how a civil case moves through the process. C, F, I

19. Discuss when and how to gather documents that may be used as evidence. A, C, F, J

20. Explain how to use the Internet to gather facts. H, J, K, L

21. Discuss prefiling requirements to be considered in civil cases. C, F, I, M

22. Explain how to develop a litigation strategy. C, F, I, M, N


*Letters after performance expectations reference the course objectives listed above.

V. Evaluation:

A. Testing Procedures:

Students are evaluated primarily on the basis of tests.

B. Laboratory Expectations:

N/A

C. Field Work:

Students will complete several drafting exercises aimed toward building litigation skills. Documents to be drafted include, but are not limited to:
- Fee Agreement Letter
- Interview checklist
- Interview summary
- Pleadings
- Investigation exercises
- Motions
- General office correspondence
- Interrogatories
- Information collection exercise
- Other discovery requests
- Deposition summary
- Discovery responses
- Orders
- Appellate documents
- Settlement Offer
- Enforcement documents

D. Other Evaluation Methods:

1. Class participation, group work, and homework will also comprise the final grade for the course. The instructor will provide full details the first week of class via a syllabus supplement.
2. All tests and papers will be graded for spelling and English usage in addition to content and format.
3. Any student encountering academic difficulty during the term is strongly encouraged to meet with the instructor to discuss options and solutions.
E. Grading Scale:

- A  93-100
- B+ 88- 92
- B  83- 87
- C+  78- 82
- C  73- 77
- D  65- 72
- F  64 and below

VI. Policies:

A. Attendance Policy:

Pellissippi State’s attendance policy is set out in the catalog. Students must be present for at least 75 percent of scheduled class meetings in order to receive credit for the course. Attendance is absolutely essential to perform well in this course. Absenteeism is recorded, not excused. Twelve (12) hours of absences will result in an automatic “F” for the course.

B. Academic Dishonesty:

Cheating of any type will not be tolerated and will become an automatic zero on that paper or test. Repetition of cheating will result in an AF@ for the final grade.

C. Other Policies:

Late papers will not be accepted nor will make-up tests will be given without specific approval of the instructor.