

PELLISSIPPI STATE COMMUNITY COLLEGE
MASTER SYLLABUS

**LITIGATION SKILLS I
LAW 2210**

Class Hours: 3.0

Credit Hours: 3.0

Laboratory Hours: 0.0

Date Revised: Fall 2014

Catalog Course Description:

Introduction to civil litigation procedures and practices in federal and state courts; focus on practical law office skills, interviewing techniques and investigation strategies; evidence; emphasis on the paralegal's role in civil litigation.

Entry Level Standards:

College-level competencies in logic, reading, and English are required.

Prerequisites:

LAW 1050 and LAW 1060

Textbook(s) and Other Course Materials:

Maerowitz, Marlene A. and Thomas A. Mauet, *Fundamentals of Litigation for Paralegals*, 8th Ed. (Wolters Kluwer Law & Business, 2014) - ISBN: 9781454831341)

Tennessee Code Annotated Court Rules, Vols. 1 and 2, current rules. LexisNexis Publishers.

I. Week/Unit/Topic Basis:

Week	Chapters	Topic
1	Chapter 1 Handout (Court Systems)	Overview of litigation process and importance of law office skills (1 hour); paralegal's role and professionalism (.5 hour), ethical considerations (.5 hour) Sources of law: structure of state and federal court systems (1 hour)
2	Chapter 3	Attorney-client agreements (1.5 hours); demand letter (.75 hour); planning litigation (.75 hour)
3-5	Handout (Interview Hypotheticals)	Communication: Effectively speaking and listening (1.5 hours); types of communication and the importance of each (1 hour); distinguishing between facts and inference (.5 hour); Interviewing clients, witnesses, experts (1 hour); Interviewing role play (3 hours); Investigation: objectives of civil investigation (.5 hours); public sources of information (.25 hour); how to access information from the Federal government, FOIA (.25 hour); accessing records from state and local governments (.25 hour); accessing private sources of information (.25 hour); locating witnesses (.25 hour); collecting investigation (.25 hour)
6-9	Chapter 9 Evidence Rules	Evidence: What is evidence? (.5 hour); the rules of evidence (1 hour); types of evidence (2 hours); privileges (.5 hour); hearsay (3 hours); exceptions to the hearsay rule (3 hours); evidence: the whole picture (2 hours)

10-11	Chapter 4	Identifying parties to a lawsuit (1 hour); subject matter jurisdiction: federal question (1 hour); diversity of citizenship (1.5 hour) ; personal jurisdiction (1.5 hour); removal (1 hour);
12-14	Chapter 5 TCA Rules of Civil Procedure	Pleadings: Rule 11 (1 hour); Rule 4 service of process (1.5 hour); Rule 6 time (1 hour); how to draft a complaint and answer (1 hour); Rule 12 responses (1 hour); counterclaims, cross- claims, third party claims, (1.5 hour); intervention, (.5 hour); class actions (.5 hour); amendment of pleadings (.5 hour); supplemental pleadings (.5 hour)
15		Final Examination

II. Course Goals*:

The course will:

- A. Expand student understanding of legal ethics. I, III, IV
- B. Enhance student understanding of interviewing and investigating strategies. I, II, III, IV, V
- C. Guide students to understand the importance of distinguishing between fact and inference. II, III, IV
- D. Introduce students to Rules 4, 6 and 11 of the rules of procedure. I, II, III
- E. Foster the ability of students to understand the basic requirements for pleadings. I,II,III,IV,V
- F. Introduce students to the rules of evidence. I,II,III
- G. Enhance student understanding of legal terminology. I, II, III, IV

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

III. Expected Student Learning Outcomes*:

Students will be able to:

1. Demonstrate a complete and thorough understanding of legal ethics. (A)
2. Examine hypotheticals to ascertain the difference between facts and inferences. (C)
3. Identify behaviors that promote confidence in the interviewee and respond appropriately to client/witness concerns during the interview. (B, C)
4. Distinguish between hearsay and personal knowledge furnished by the interviewee. (B, C, F)
5. Explain how language, trauma, psychosocial aspects, psychological factors, and sociological factors affect the quality and effectiveness of communication between people. (B)
6. Distinguish between relevant and irrelevant information as it applies to a specific case. (C,F)
7. Demonstrate a working knowledge of the rules of evidence as they relate to admissible

and inadmissible evidence, best evidence rule, Dead Man's Statute, and exceptions to the hearsay rule. (F, G)

8. Identify the following types of evidence: direct, circumstantial, real, demonstrative, testimonial, and documentary. (F, G)
9. Recognize direct, cross, redirect and re-cross examination. (F)
10. Explain who the courts have determined are competent witnesses. (F)
11. Explain who the courts have determined are competent witnesses. (F)
12. Draft a complaint following procedural requirements. (E)

* Capital letters after Expected Student Learning Outcomes reference the course goals listed above.

IV. EVALUATION:

A. Testing Procedures:

Students are evaluated primarily on the basis of tests.

B. Laboratory Expectations:

NA

C. Field Work:

Students will complete several out-of-class skills projects. These may include:

- Interview checklist
- Interview summary
- Investigation exercises
- Information collection exercise
- Drafting pleadings
- Rule-based research
- Memorandum summarizing application of law to fact situation

D. Other Evaluation Methods:

1Class 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.

2All tests and papers will be graded for spelling and English usage in addition to content and format.

3Any 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

V. Policies:

A. Attendance Policy:

Pellissippi State expects students to attend all scheduled instructional activities. As a minimum, students in all courses (excluding distance learning courses) must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. Individual departments/programs/disciplines, with the approval of the vice president of Academic Affairs, may have requirements that are more stringent. In very specific circumstances, an appeal of the policy may be addressed to the head of the department in which the course was taken. If further action is warranted, the appeal may be addressed to the vice president of Academic Affairs.

B. Academic Dishonesty:

Academic misconduct committed either directly or indirectly by an individual or group is subject to disciplinary action. Prohibited activities include but are not limited to the following practices:

- Cheating, including but not limited to unauthorized assistance from material, people, or devices when taking a test, quiz, or examination; writing papers or reports; solving problems; or completing academic assignments.
- Plagiarism, including but not limited to paraphrasing, summarizing, or directly quoting published or unpublished work of another person, including online or computerized services, without proper documentation of the original source.
- Purchasing or otherwise obtaining prewritten essays, research papers, or materials prepared by another person or agency that sells term papers or other academic materials to be presented as one's own work.
- Taking an exam for another student.
- Providing others with information and/or answers regarding exams, quizzes, homework or other classroom assignments unless explicitly authorized by the instructor.
- Any of the above occurring within the Web or distance learning environment.

Please see the Pellissippi State Policies and Procedures Manual, Policy 04:02:00 Academic/Classroom Conduct and Disciplinary Sanctions for the complete policy.

C. Accommodations for disabilities:

Students that need accommodations because of a disability, have emergency medical information to share, or need special arrangements in case the building must be evacuated should inform the instructor immediately, privately after class or in her or his office. Students must present a current accommodation plan from a staff member in Disability Services (DS) in order to receive accommodations in this course. Disability Services may be contacted by sending email to disabilityservices@pstcc.edu, or by visiting Alexander 130. More information is available at <http://www.pstcc.edu/sswd/>.

D. Other Policies:

Computer Usage Guidelines:

College-owned or -operated computing resources are provided for use students of Pellissippi State Community College. All students are responsible for the use of Pellissippi State's computing resources in an effective, efficient, ethical and lawful manner.