

Pellissippi State Community College
Master Syllabus

CIVIL LITIGATION SKILLS II
LEGL 2385

Class Hours: 3.0

Credit Hours: 3.0

Laboratory Hours: 0.0

Revised: Fall, 2016

Catalog Course Description:

A project-oriented course designed for 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.

Prerequisites:

LEGL 2380

Textbooks and Other Supplies:

1. Maerowitz, Marlene A. and Thomas A. Mauet, *Fundamentals of Litigation for Paralegals*, 8th Ed. (Wolters Kluwer Law & Business, 2014) - ISBN: 9781454831341)
2. *Tennessee Code Annotated Court Rules*, Vols. 1 and 2, current rules. LexisNexis Publishers.

I. Week/Assignment:

<u>Week</u>	<u>Chapter</u>	<u>Topic</u>
1		Introduction; expectations (3 hrs.)
2	2	Case evaluation and strategy: litigation review (1 hr.); cause of action (.5 hr.); terms of attorney-client agreement (1.5 hrs.)
3	3-4	Planning the Litigation, Choosing the Court: local rules (.5 hrs.), parties, jurisdiction (.5 hr.); issues outline (2 hrs.)
4-5	5	Pleadings: Getting complaint ready (.5 hr.), requirements (.5 hr.), alternative pleadings (.5 hr.), format (.5 hr.), Rule 11 (.5 hr.); Certificate of Service (.25 hr.), summons (.25 hr.), service of process (1.0 hr.), removal (.5 hr.); Answer: Rule 12 responses (.5 hr.), affirmative defenses (.25 hr.), requirements for motions (.75 hr.)
6	6	Law and Motions: Summary judgment (1.0 hr.), supporting documentation for summary judgment (1.0 hr.); default judgment (1.0 hr.)
7	7	Motion Practice: various motions available to both parties (3.0 hrs.)
8	8	Provisional Remedies: writ of possession, attachment, injunctive relief, lis pendens (3.0 hrs.)
9-10	10	Discovery: interrogatories and answers (2.0 hrs.), local limitations (.25 hr.), depositions (2.0 hrs.), summarizing depositions (.5 hr.), notice to take (.25), subpoena duces tecum (.25 hr.); request for production (.25 hr.), request for admissions and reply (.25 hr.); protective order and sanctions (.25 hr.)
11	11	Settlements: release (.5 hr.), covenant not to sue (.5 hr.); nonsuit (.5 hr.), dismissal (.5 hr.); offer of judgment (1.0 hr.)

12	12	Trial Preparation, Trial, Appeal: exhibits (.5 hr.), pretrial memorandum (.25 hr.), pretrial order (.25 hr.), jury instructions (1.0 hr.), motion in limine (.75 hr.); appellate deadlines (.25 hr.)
13	13	Enforcement of Judgments: Abstract of Title, Liens, Execution (3 hrs.)
14		Review (3 hrs.)
15		Final Examinations

II. Course Goals*:

The course will:

- A. Expand student understanding of legal ethics. I, III, IV
- B. Enhance student understanding of legal terminology. I, II, III, IV
- C. Foster the ability of students to draft basic documents in conformity with the rules of civil procedure. I, II, III, IV, V
- D. Develop awareness 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
- E. Expand student understanding of various discovery devices. I, II, IV
- F. Build the skills to provide litigation support as a civil case moves through the process. I, II, III, IV, V
- G. Increase the capacity to use the internet to obtain the necessary facts to prove the client's position. I, II, III, IV

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

III. Expected Student Learning Outcomes*:

The student will be able to:

1. Draft discovery documents. (B,C,D,E,F,G)
2. Draft pleadings and documents in conformity with the rules of civil procedure. (B,C,F)
3. Understand how to assist attorneys prepare for trial. (B,C,D,E,F,G)
4. Demonstrate a complete and thorough understanding of legal ethics. (A)

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

IV. Evaluation:

A. Testing Procedures: 20%

Students are evaluated partly on the basis of tests. The instructor will provide full details the first week of class via a syllabus supplement.

B. Laboratory Expectations: N/A

C. Field Work: 70%

Students will complete several out-of-class skills projects, which are listed on the Document List.

D. Other Evaluation Methods: 10%

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 supplementary syllabus.

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

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 [PSCC Disability Services](#).