

Pellissippi State Community College
Master Syllabus

LITIGATION SKILLS I
LAW 2210

Class Hours: 3.0
Laboratory Hours: 0.0
Credit Hours: 3.0
Revised: Fall 2011

Instructor:
Office:
Phone:
E-mail:

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

Corequisites: None

Textbooks and Other Supplies:

Textbooks:

- Maerowitz, Marlene A. and Thomas A. Mauet, Fundamentals of Litigation for Paralegals, 6th Ed., 2009 (ISBN 978-0-7355-6807-5)
- Tennessee Code Annotated Court Rules, Vol. 1 current edition.

I. WEEK/UNIT/TOPIC BASIS:

<u>Week</u>	<u>Unit</u>	<u>Topic</u>
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

III. EXPECTED STUDENT LEARNING OUTCOMES:

The student 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. Apply the requirements of Rules 4, 6 and 11 to specific hypotheticals. (D)
12. Draft a complaint following procedural requirements. (E)

IV. 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 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:

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

V. POLICIES:

A. Attendance Policy:

Pellissippi State Community College expects students to attend all scheduled instructional activities. As a minimum, students in all courses must be present for at least 75 percent of their scheduled class and laboratory meetings in order to receive credit for the course. (*Pellissippi State Online Catalog*)

Maintaining continuous attendance in your classes is very important. If you are considering dropping or withdrawing from a course, please check with the Financial Aid Office before doing so. Dropping or withdrawing from a class can adversely affect your financial aid and/or lottery eligibility.

B. Academic Dishonesty:

Plagiarism, cheating and other forms of academic dishonesty are prohibited. A student guilty of academic misconduct, either directly or indirectly through participation or assistance, is immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions that may be imposed through the regular Pellissippi State procedures as a result of academic misconduct, the instructor has the authority to assign an F or a zero for the exercise or examination or to assign an F in the course. (*Pellissippi State Online Catalog*)

C. Accommodation for Disabilities:

Students who 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 Services for Students with Disabilities (SSWD) in

order to receive accommodations in this course. Services for Students with Disabilities may be contacted by going to Goins 127, 132, 134, 135, 131 or by phone: 539-7153 or TTY 694-6429. More information is available at www.pstcc.edu/departments/swd/.

D. Extended College Closure:

Pellissippi State Community College is committed to the educational process and student learning. In the event of a prolonged college closure (of at least a week), the educational process will continue through the use of the college's on-line learning environment (Desire2Learn). The instructor will post instructions, specific assignments, due dates, etc. in Desire2Learn (D2L). It is the student's responsibility to login to D2L and check posted instructions and assignments.