

Pellissippi State Community College
Master Syllabus

LITIGATION SKILLS II
LAW 2220

Class Hours:	3.0	Instructor:
Laboratory Hours:	0.0	Office No.:
Credit Hours:	3.0	Phone No.:
Date Revised:	Spring 2011	E-mail:

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.

Prerequisites: LAW 2210

Textbooks and Other Supplies:

1. Mauet, Thomas A. and Marlene A. Maerowitz, *Fundamentals of Litigation for Paralegals, 6th ed.* (New York, N.Y.: Aspen, 2009) ISBN: 978-0-7355-6807-5
2. *Tennessee Court Rules Annotated, Vol. 1* (current edition)

I. WEEK/UNIT/TOPIC BASIS:

WEEK	UNIT	TOPIC
1	→	Introduction; expectations (3 hours)
2	Chapter 2	Case evaluation and strategy: litigation review (1 hour); cause of action (.5 hour); terms of attorney-client agreement (1.5 hours)
3	Chapters 3 & 4	Planning the Litigation, Choosing the Court: local rules (.5 hours), parties, jurisdiction (.5 hour); issues outline (2 hours)
4-5	Chapter 5	Pleadings: Getting complaint ready (.5 hour), requirements (.5 hour), alternative pleadings (.5 hour), format (.5 hour), Rule 11 (.5 hour); Certificate of Service (.25 hour), summons (.25 hour), service of process (1.0 hour), removal (.5 hour); Answer: Rule 12 responses (.5 hour), affirmative defenses (.25 hour), requirements for motions (.75 hour)
6	Chapter 6	Law and Motions: Summary judgment (1.0 hour), supporting documentation for summary judgment (1.0 hour); default judgment (1.0 hour)
7	Chapter 7	Motion Practice: various motions available to both parties (3.0 hours)

8	Chapter 8	Provisional Remedies: writ of possession, attachment, injunctive relief, lis pendens (3.0 hours)
9-10	Chapter 10	Discovery: interrogatories and answers (2.0 hours), local limitations (.25 hour), depositions (2.0 hours), summarizing depositions (.5 hour), notice to take (.25), subpoena duces tecum (.25 hour); request for production (.25 hour), request for admissions and reply (.25 hour); protective order and sanctions (.25 hour)
11	Chapter 11	Settlements: release (.5 hour), covenant not to sue (.5 hour); nonsuit (.5 hour), dismissal (.5 hour); offer of judgment (1.0 hour)
12	Chapter 12	Trial Preparation, Trial, Appeal: exhibits (.5 hour), pretrial memorandum (.25 hour), pretrial order (.25 hour), jury instructions (1.0 hour), motion in limine (.75 hour); appellate deadlines (.25 hour)
13	Chapter 13	Enforcement of Judgments: Abstract of Title, Liens, Execution (3 hours)
14	→	Review (3 hours)
15	→	Final Examination

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

III. EXPECTED STUDENT LEARNING OUTCOMES:

The student will be able to:

1. Demonstrate a complete and thorough understanding of legal ethics. (A)
2. Differentiate between civil litigation and other types of litigation. (C, F)
3. Locate the law applicable to litigation matters. (B, C, F)
4. Identify by proper name and describe the function of federal and state courts having civil jurisdiction. (C, F)
5. Discuss the paralegal's role in all stages of civil litigation. (A,B,C,D,E,F,G)
6. Describe the differences between federal and state court jurisdiction. (C, D, E, F, G)
7. Draft pleadings and documents in conformity with rules of civil procedure. (B, C, D, E, F, G)
8. Explain when a motion for summary judgment is appropriate and describe what must be included in a motion for summary judgment. (C, F)
9. Complete discovery devices available to obtain facts. (A,E,F)
10. Demonstrate how computers may be used for litigation support. (G)

11. Discuss when and how to gather documents that may be used as evidence. (C, E, F)
12. Discuss pre-filing requirements to be considered in civil cases. (B,C,D,F)

IV. EVALUATION:

- A. Evaluation:
Students are evaluated primarily on the basis of tests and drafting projects. The instructor will provide full details the first week of class via a syllabus supplement.
- B. Laboratory Expectations: N/A
- C. Field Work:
Students will complete several out-of-class skills projects, which are listed on the attached Document List.
- D. Other Evaluation Methods:
 1. Class participation, group work, and homework will also comprise the final grade for the course.
 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 Technical 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. [NOTE: No differentiation is noted for excused/unexcused absences. These will be treated as an absence.] (Pellissippi State Catalog)
- B. Academic Dishonesty:
Plagiarism, cheating, and other forms of academic dishonesty are prohibited. Students guilty of academic misconduct, either directly or indirectly through participation or assistance, are immediately responsible to the instructor of the class. In addition to other possible disciplinary sanctions which 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 Catalog)

- C. Computer Usage Guidelines:
College-owned or -operated computing resources are provided for use by students of Pellissippi State. All students are responsible for the usage of Pellissippi State's computing resources in an effective, efficient, ethical and lawful manner. (Pellissippi State Catalog)
- D. 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/.
- E. Late Work:
Late papers will not be accepted nor will make-up tests be given without specific approval of the instructor.