



## COURSE OUTLINE

<b>Course Number</b> LEG 132	<b>Course Title</b> Civil Litigation II	<b>Credits</b> 3
<b>Hours:</b> Lecture/Lab/Other 3/0/0	<b>Co- or Pre-requisite</b> LEG 130 (co-requisite)	<b>Implementation Semester &amp; Year</b> Spring 2022

### **Catalog description:**

Overview of the litigation process covering the pleadings of cases from initial complaint through ultimate judgment, with emphasis on tasks performed by paralegals. Addresses medical terminology and rules of evidence.

### **General Education Category:** **Not GenEd**

### **Course coordinator:**

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### **Required texts & Other materials:**

#### **Required Textbook:**

*Litigation Paralegal* 6<sup>th</sup> Ed., Cengage Publishers, ISBN: 9781285857152

#### **Legal Specialty Course Notice:**

This course is a legal specialty course (LS) as designated in the college's American Bar Association (ABA) approval reports for the legal studies degree and certificate programs.

This course does not constitute the teaching of law for the purpose of practicing law; in the State of New Jersey only a licensed attorney may practice law.

**Legal Specialty Course Transfer Notice:** The following legal specialty courses must be completed at MCCC and may not be transferred: LEG 129, LEG 130, LEG 132, LEG 133, LEG 143, LEG 255.

**Legal Specialty Teaching Modality Notice:** LEG 132 must be completed in a synchronous learning modality which may be live remote or live campus sessions depending on the current course offerings. Per the ABA Guidelines for legal education courses, LEG 130, LEG 132 and LEG 133 are offered as synchronous learning modalities only for a required total of nine (9) credits per program.

### **Course Student Learning Outcomes (SLO):**

#### ***Upon successful completion of this course the student will be able to:***

1. Demonstrate practical legal skills by drafting litigation documents which may include client correspondence, complaint answer, and/or other documents. [Supports ILG # 5, 10 ; PLO #3]
2. Describe the litigation process from pre-trial investigation through post-trial motions. [Supports ILG # 5, 10 ; PLO #1,4]
3. Explain the paralegal's role in each phase of the civil litigation process. [Supports ILG # 5, 10 ; PLO #1]
4. Compare and contrast the ethical obligations and practical considerations concerning civil litigation. [Supports ILG # 9 ; PLO #2]

5. Identify key litigation concepts within the scope of corporate litigation work, federal and state court systems, private law firms and alternative dispute resolution. [Supports ILG # 5, 10 ; PLO #1, 5]

### **Course-specific Institutional Learning Goals (ILG):**

**Institutional Learning Goal 5. Social Science.** Students will use social science theories and concepts to analyze human behavior and social and political institutions and to act as responsible citizens.

**Institutional Learning Goal 9. Ethical Reasoning and Action.** Students will understand ethical frameworks, issues, and situations.

**Institutional Learning Goal 10. Information Literacy:** Students will recognize when information is needed and have the knowledge and skills to locate, evaluate, and effectively use information for college level work.

**Institutional Learning Goal 11. Critical Thinking:** Students will use critical thinking skills understand, analyze, or apply information or solve problems.

### **Program Learning Outcomes for:**

#### **Paralegal A.A.S. degree and Paralegal Certificate (post-degree credential)**

1. Understand the roles and responsibilities of legal professionals in a variety of legal employment settings;
2. Identify and implement standards of legal ethics and professionalism;
3. Demonstrate practical skills in a range of substantive legal areas;
4. Engage in effective written and verbal professional communication;
5. Develop appropriate methods for embarking on a legal career.

### **Units of study in detail – Unit Student Learning Outcomes:**

#### **Unit I Civil Litigation Essentials**

##### **Learning Objectives [Supports SLO # 3, 5]**

##### **The student will be able to...**

- Describe the United States legal system, sources of law, distribution of powers and how these concepts relate to the work of the paralegal.
- Explain the essential differences between a criminal case and civil litigation, including the sources, penalties and significant parallel concepts.
- Define the essential litigation terminology.
- Define and explain the role of each court in the New Jersey State Court System.
- Define and explain the role of each court in the Federal Court System.
- Explain the role of the judicial system within the three branches of government
- Explain the general rules for jurisdiction, standing to bring a case and ripeness of a legal matter.

#### **Unit II Civil Procedure**

##### **Learning Objectives [Supports SLO # 1 ,2, 5 ]**

##### **The student will be able to...**

- Explain the pre-trial preparation process, and the paralegal's role during this phase.
- Explain the process of drafting and filing a complaint, including court deadlines and Statutes of Limitation.
- Explain the reasons for and process of obtaining releases for a client's medical and related files.

- Describe the trial process, from pre-trial investigation, trial preparation, trial and post-trial considerations.
- Describe the general purpose and process for filing an appeal, and when an appeal is permitted.
- Describe the process of an attorney negotiating a settlement and reasons for and against settlement.
- Define the various types of Alternative Dispute Resolution, including mediation and arbitration.

### **Unit III Considerations for Practical Legal Work**

#### **Learning Objectives** [Supports SLO # 2, 4, 6]

##### **The student will be able to...**

- Describe the paralegal's role in civil litigation during the discovery process, as it applies to tort law, personal injury and negligence cases.
- Explain essential principles for the preparation for a civil case, including discovery and pretrial procedures.
- Draft client correspondence, per the instructions of the attorney or faculty member.
- Draft a complaint, per the instructions of the attorney or faculty member.
- Revise a complaint, per the feedback from an attorney or faculty member.
- Draft an answer on behalf of a client, per the instructions of the attorney or faculty member.
- Research and prepare a CIRAC/IRAC style legal memo; research will be based on a prominent

#### **Evaluation of student learning:**

**Assignments:** Written research, case briefs or case analysis responses, legal document drafting assignments and practical legal tasks designed to assess preparedness for practical legal work.

**Quizzes:** Essay and multiple-choice assessments designed to measure understanding of objective legal concepts.

**Discussions:** Course-related conversations in a live setting or via discussion board to support and assess concepts presented in the unit.