COURSE OUTLINE

LEG 132  Civil Litigation II  3
Course Number  Course Title  Credits

Hours: Co- or Pre-requisite Course length
lecture/Lab/Other  none  14 weeks
3/0/0

Catalog description:

Study of the process of civil litigation, providing instruction on the essential tasks and processes from pre-trial preparation to appeal.
3 lecture hours

Is course New, Revised, or Modified? [Modified courses are those which have a new prefix or course number]

No.

Revision date:  Course coordinator:  (Name, telephone number, email)
This outline was updated Spring semester, 2019.

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**Required texts/other materials:**

**Required Textbook:**
*Determined by the course coordinator each semester.*

**Supplemental Materials:**
This course is offered on campus only. Therefore, the professor will provide materials to students as needed during class sessions, including PowerPoints, notes or links to online court resources.

Students will use the following no-cost resources as a foundation of the course:
- NJ Courts Online State Government Website: [https://www.judiciary.state.nj.us/courts/](https://www.judiciary.state.nj.us/courts/)

**Legal Specialty Course Notice:**
This course is a legal specialty course (LS) and is one of the four (4) required on-campus courses students are required to complete on campus to meet their 12 credit on campus minimum for the Paralegal Studies AAS degree or Paralegal Certificate program. The following courses may only be completed on campus: LEG 129, LEG 130, LEG 132, LEG 133.
Other learning resources: (Describe any other student learning resources that are specific to this course, including any special tutoring or study group support, learning system software, etc.)

All materials should be provided to the students via their Blackboard course. This course is offered in an online delivery option. Therefore, supplemental materials are supplied online and students are expected to submit assignments through Blackboard.

Course Competencies/Goals: [List the most important 5-8 overall student learning outcomes for your course. Course-level student learning outcomes (or Course Competencies/Goals) are statements that describe the specific, measurable knowledge, skills, and/or values that the student is expected to demonstrate, perform or exhibit after completion of the course. Student learning outcomes should focus on what the students will learn (rather than what the instructor will teach) and must include verbs (explain…, demonstrate…, analyze…) that reflect lower-order and higher-order learning goals.]

The student will be able to:

- **Course Competency One**: Students can explain the process of civil litigation, from pre-trial preparation to post-litigation appeals.
- **Course Competency Two**: Students can effectively analyze hypothetical scenarios to assess the correct responsibilities and appropriate actions for a paralegal.
- **Course Competency Three**: Students can draft litigation documents including: client correspondence, a complaint (on behalf of plaintiff,) an answer (on behalf of defendant,) and a CIRAC/IRAC memo.
- **Course Competency Four**: Students can independently communicate the role of New Jersey courts and federal courts, and students can explain the progress of a civil case through the court system.
- **Course Competency Five**: Students can articulate the paralegal’s role in each phase of the civil litigation process.
- **Course Competency Six**: Students can explain the ethical obligations of the paralegal in various civil litigation tasks, per the ABA Model Rules and NFPA/NALA rules.

Course-specific General Education Knowledge Goals and Core Skills. [To an extent consistent with its primary purposes, each course in every program is expected to reflect the college’s commitment to general education, as affirmed in the 2005 General Education Policy. A General Education Course is one whose primary purposes and overall design coincide strongly with one or more of the approved general education goals and objectives. For any approved (or proposed) General Education Course, the General Education Goals and Objectives form (the form identified as the “Gen Ed Attachment”) should be completed and attached to the course outline. Below is a complete list of Mercer’s General Education Knowledge Goals and Core Skills. Retain on this course outline the Goals and Skills that pertain to your course and delete those that are not a central part of the course.]
General Education Knowledge Goals
Goal 1. Communication. Students will communicate effectively in both speech and writing.
Goal 4. Technology. Students will use computer systems or other appropriate forms of technology to achieve educational and personal goals.
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.
Goal 7. History. Students will understand historical events and movements in World, Western, non-Western or American societies and assess their subsequent significance.

MCCC Core Skills
Goal A. Written and Oral Communication in English. Students will communicate effectively in speech and writing, and demonstrate proficiency in reading.
Goal B. Critical Thinking and Problem-solving. Students will use critical thinking and problem solving skills in analyzing information.
Goal C. Ethical Decision-Making. Students will recognize, analyze and assess ethical issues and situations.
Goal D. 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.
Goal E. Computer Literacy. Students will use computers to access, analyze or present information, solve problems, and communicate with others.
Goal F. Collaboration and Cooperation. Students will develop the interpersonal skills required for effective performance in group situations.
Goal G. Intra-Cultural and Inter-Cultural Responsibility. Students will demonstrate an awareness of the responsibilities of intelligent citizenship in a diverse and pluralistic society, and will demonstrate cultural, global, and environmental awareness.

Units of study in detail. [Each unit should center around a topic, theme or skill that supports the Course Competencies/Goals (the course-level student learning outcomes [SLOs]) and general education student learning outcomes. For each unit, identify specific student learning outcomes that focus on content knowledge or process skills. Units of study are not simply the chapters of the textbook; they are independent of the selected textbook. Unit-level student learning outcomes should state (in terms that can serve as the frame of reference for ongoing assessment of both student achievement and of the course’s effectiveness) what successful students will be able to demonstrate, perform or exhibit at the end of the unit. Connect the unit-level SLOs back to the course-level SLOs and the General Education and Core Skills SLOs either by cross-referencing them by number or by explaining the connections in a brief narrative. It is not expected that every unit-level SLO will connect to the General Education and Core Skills SLOs; each unit-level SLO, however, must connect to at least one course-level SLO. See the attached examples.]

Unit I  Understanding the court systems and basis for a civil lawsuit
Learning Objectives
The student will be able to...

- Discuss the United States legal system, sources of law, distribution of powers and how these concepts relate to the work of the paralegal. (Course Competencies 1, 6; Institutional Learning Goals 5, 7)
- Explain the essential differences between a criminal case and civil litigation, including the sources, penalties and significant parallel concepts. (Course Competencies 1, 6; Institutional Learning Goals 5)
- Define the essential litigation terminology. (Course Competencies 3; Institutional Learning Goals 5)
- Define and explain the role of each court in the New Jersey State Court System. (Course Competencies 1, 6; Institutional Learning Goals 5, 7)
- Define and explain the role of each court in the Federal Court System. (Course Competencies 1, 6; Institutional Learning Goals 5, 7)
- Explain the role of the judicial system within the three branches of government (Course competencies 1,6; Institutional Learning Goals 5, 7)
- Explain the general rules for jurisdiction, standing and ripeness. (Course competencies 1,6; Institutional Learning Goals 5, 7)

Unit II Understanding the Civil Litigation process
Learning Objectives
The student will be able to...

- Students will be able to explain the pre-trial preparation process, and the paralegal’s role during this phase.
- Students will be able to explain the process of drafting and filing a complaint, including court deadlines and Statutes of Limitation.
- Students will be able to explain the reasons for and process of obtaining releases for a client’s medical and related files.
- Students will be able to describe the trial process, including each stage of a trial.
- Students will be able to describe the general purpose and process for filing an appeal, and when an appeal is permitted.
- Students will be able to describe the process of an attorney negotiating a settlement.
- Students will be able to define the various types of Alternative Dispute Resolution, including mediation and arbitration.

Unit III Practical Tasks for Paralegals in the Civil Litigation process
Learning Objectives
The student will be able to...
● Describe the initiation of a complaint and a response (answer) to the complaint. (Course Competencies 1, 6; Institutional Learning Goals 1, 5)

● Describe the paralegal’s role in civil litigation during the discovery process, as it applies to tort law, personal injury and negligence cases. (Course Competencies 1, 6; Institutional Learning Goals 1, 5)

● Explain essential principles for the preparation for a civil case, including discovery and pretrial procedures. (Course Competencies 1, 6; Institutional Learning Goals 1, 5)

● Draft client correspondence, per the instructions of the attorney (faculty member.)(Course Competencies 2, 3; Institutional Learning Goals 1, 4)

● Draft a complaint, per the instructions of the attorney (faculty member.)(Course Competencies 2, 3; Institutional Learning Goals 1, 4)

● Revise a complaint, per the feedback from the attorney (faculty member.)(Course Competencies 2, 3; Institutional Learning Goals 1, 4)

● Draft an answer on behalf of a client, per the instructions of the attorney (faculty member.)(Course Competencies 2, 3; Institutional Learning Goals 1, 4)

● Research and prepare a CIRAC/IRAC style legal memo; research will be cased on a prominent civil case. (Course Competencies 2, 3; Institutional Learning Goals 1, 4)

Unit IV Understanding the Role of the Paralegal in Civil Litigation

The student will be able to…

● Discuss the principles and evaluate hypothetical questions while working with in-class teams. (Course Competency 4; Institutional Learning Goals 1)

● Prepare a presentation on a landmark civil case, and present their research to the class. (Course Competencies 4, 5; Institutional Learning Goals 1)

● Explain current cases, including developments in ongoing cases, and communicate the issues presented during in-class “Current Cases” discussions.

● Explain the ethical duties of the attorney and paralegal when handling tort law cases, specifically medical malpractice cases (Course Competency 8, Institutional Learning Goals 9)

● Explain the paralegal’s role in scheduling, docket management, client communication and discovery.

● Explain the paralegal’s role in interviewing and investigation.

● Explain the paralegal’s role in verbal with clients, courts, opposing counsel, both by phone and in person.

● Explain the paralegal’s role in written communication with clients and opposing counsel.

● Explain the general purpose and function E-filing, as it applies to local courts.

● Explain the process of Discovery and the paralegal’s role in discovery.

Students with Disabilities:

Any student in this class who has special needs because of a disability is entitled to receive accommodations. Eligible students at Mercer County Community College are assured services under the Americans with Disabilities Act and Section 504 of the
Rehabilitation Act of 1973. If you believe you are eligible for services, please contact Arlene Stinson, the Director of Academic Support Services. Ms. Stinson's office is LB221, and she can be reached at (609) 570-3525.

**Academic Integrity:** As per the student handbook, “A student will be guilty of violating academic integrity if he/she (a) knowingly represents the work of others as his/her own, (b) uses or obtains unauthorized assistance in the execution of academic work, or (c) gives fraudulent assistance to another student.” Students should read the Academic Integrity policy in the MCCC Rights and Responsibilities Student Handbook. Academic Dishonesty will result in failure of this course.

**Equal Opportunity Policy:** Mercer County Community College is committed to equal opportunity and affirmative action. Discrimination on the basis of race, creed, color, national origin, ancestry, age, gender, affectional or sexual orientation, marital status, familial status, liability for service in the Armed Forces of the United States, nationality, political views, religion, disability unrelated to job or program requirements or any other characteristic protected by law is prohibited. Questions regarding the equal opportunity policy and compliance statement may be directed to the Affirmative Action Officer, West Windsor Campus, (609) 586-4800, ext. 3270.