



### **Course Description**

#### **PLA2227 | Civil Law and Litigation | 3.00 Credits**

This course will introduce students to a comprehensive exploration of civil procedure, pleadings, evidence, motions, damages, appeals, and alternative dispute resolution. Students will gain skills in the application of law when preparing documents before, during, and post-trial. A minimum of a “C” is required to pass this course. Prerequisites: ENC1101, PLA 2003, PLA2120C, and PLA2931.

### **Course Competencies:**

**Competency 1:** The student will demonstrate an understanding of the role of the paralegal in a litigation law office by:

1. Recognizing the importance of law office procedures in law practice.
2. Explaining the ethical obligations of the paralegal in the legal arena.
3. Distinguishing between the federal and state court systems.
4. Identifying the different types of jurisdiction and in which court cases should be filed.

### **Learning Outcomes:**

1. Critical thinking
2. Information Literacy
3. Communication
4. Ethical Issues
5. Computer / Technology Usage

**Competency 2:** The student will understand the importance of the initial client interview by

1. Demonstrating a plan for preparing, conducting, and summarizing the interview.
2. Determining the types of questions to ask in an interview for the most effective results.
3. Recognizing how to handle challenging clients in a professional manner.
4. Defining the term statute of limitation and identifying its significance in the litigation process.

### **Learning Outcomes:**

1. Critical thinking
2. Information Literacy
3. Communication
4. Ethical Issues
5. Computer / Technology Usage

**Competency 3:** The student will understand and apply the rules for pretrial processes, including pleadings, motions, and discovery by:

1. Describing the purpose and function of the Rules of Civil Procedure in the litigation process.
2. Discussing the Federal Rules of Civil Procedure as well as the differences with state rules.
3. Explaining how federal rules differ from state rules.
4. Identifying the different types of evidence
5. Determining the sources of information that will assist in proving the elements of a client's case
6. Describing techniques for gathering discovery and evidence and learning to preserve the evidence in preparation for trial.
7. Utilizing the Florida Rules of Civil Procedure in preparing various pleadings and motions.

### **Learning Outcomes:**

1. Critical thinking

2. Information Literacy
3. Communication
4. Ethical Issues
5. Computer / Technology Usage

**Competency 4:** The student will understand how to prepare the documents utilized during the pre-trial and trial litigation process by:

1. Determining the preliminary tasks in preparation for trial
2. Preparing witness subpoenas
3. Outlining the necessary components of a trial notebook
4. Drafting a complaint and delineating its components
5. Identifying the different types of motions to dismiss under Federal Rule 12(b)
6. Understanding the purpose of removing a state action to federal action.
7. Drafting an answer, affirmative defenses, counterclaim, and cross-claim
8. Distinguish between amending and supplementing pleadings.
9. Preparing various responsive motions, including motions for judgment on the pleadings and summary judgment.

**Learning Outcomes:**

1. Critical thinking
2. Information Literacy
3. Communication
4. Ethical Issues
5. Computer / Technology Usage

**Competency 5:** The student will explain the role of alternative dispute resolution and how it aids and applies to traditional civil litigation by:

1. Discussing the functions of Alternative Dispute Resolution and its purpose.
2. Comparing and contrasting the differences between Alternative Dispute Resolution and Litigation.
3. Examining the different approaches in Negotiations.
4. Explaining the functions of a mediator

**Learning Outcomes:**

1. Critical thinking
2. Information Literacy
3. Communication
4. Ethical Issues
5. Computer / Technology Usage

**Competency 6:** The student will understand the process of filing the lawsuit, service of process, and obtaining a default judgment by:

1. Determining the different requirements for service of process in the federal and state court systems.
2. Preparing the documents needed to serve a defendant in a lawsuit.
3. Serving a defendant under a state's long-arm statute.
4. Identifying the circumstances under which a default judgment may be set aside.
5. Drafting a default judgment for a state or federal case.

**Learning Outcomes:**

1. Critical thinking
2. Information Literacy
3. Communication
4. Ethical Issues

## 5. Computer / Technology Usage