SYLLABUS

DATE OF LAST REVIEW: 02/2013

CIP CODE: 22.0302

SEMESTER: Departmental Syllabus

COURSE TITLE: Litigation II

COURSE NUMBER: PRLG-0232

CREDIT HOURS: 3

INSTRUCTOR: Departmental Syllabus

OFFICE LOCATION: Departmental Syllabus

OFFICE HOURS: Departmental Syllabus

TELEPHONE: Departmental Syllabus

EMAIL: KCKCC - “issued email accounts are the official means for electronically communicating with our students.”

PREREQUISITE: PRLG-0121, Introduction to Law, PRLG-0131, Legal Research I, and PRLG-0132, Litigation I.

REQUIRED TEXT AND MATERIALS: Please check with the KCKCC bookstore, http://www.kckccbookstore.com/, for the required texts for your particular class.

DESCRIPTION OF COURSE: In this continuation of Litigation I, emphasis will be on the trial and appellate stages of civil litigation. Students will study an actual case through discussion of all the steps involved before, during, and after trial.

METHOD OF INSTRUCTION: A variety of instructional methods may be used depending on content area. These include but are not limited to: lecture, multimedia, cooperative/collaborative learning, labs and demonstrations, projects and presentations, speeches, debates, panels, conferencing, performances, and learning experiences outside the classroom. Methodology will be selected to best meet student needs.
COURSE OUTLINE:

I. Fact Brief

II. Final Trial Preparation
   A. Strategy
   B. Pretrial Conferences
   C. Preparing Clients, Witnesses, Exhibits

III. Structure of a Civil Trial
   A. Preliminary Conference
   B. Jury Selection
   C. Stages of Trial
   D. Jury Deliberations

IV. Post-trial Motions

V. Judgments

VI. Appeals

VII. Settlements, Releases, Dismissals

VIII. Dominiquez Trial

EXPECTED LEARNER OUTCOMES:

A. The student shall be able to prepare fact briefs.
B. The student shall be able to explain the process of a civil trial, from jury selection through verdict.
C. The student shall be able to describe motions that may be made after trial.
D. The student shall be able to explain options available to a litigant if (s)he is unhappy with a judgment.

COURSE COMPETENCIES:

The student shall be able to prepare fact briefs.

Fact Briefs
1. The student shall be able to identify the purpose for preparing a fact brief.
2. The student shall be able to determine when a fact brief should be prepared.
3. The student shall be able to distinguish a fact brief from a trial brief.
4. The student shall be able to conduct a integrated analysis of a hypothetical case.
5. The student shall be able to generate a fact brief from the analysis.

The student shall be able to explain the process of a civil trial, from jury selection through verdict.

Trial Preparation
6. The student shall be able to determine when final trial preparation occurs.
7. The student shall be able to describe various methods of trial preparation.
8. The student shall be able to distinguish between the importance of juror's knowledge and what is legally material.
9. The student shall be able to determine at what points of trial preparation the paralegal participates.
10. The student shall be able to identify the most common method of establishing facts which are not controverted.
11. The student shall be able to perform the steps needed to prepare evidence for a hypothetical trial.
12. The student shall be able to identify the purpose of a pretrial conference.

Juries and Verdicts
13. The student shall be able to determine the function of a jury.
14. The student shall be able to distinguish between the role of a regular juror and an alternate juror.
15. The student shall be able to distinguish between a general verdict and a special verdict.
16. The student shall be able to describe the voir dire process.
17. The student shall be able to distinguish between a peremptory challenge and a challenge for cause.

Structure of a Civil Trial
18. The student shall be able to list and explain the steps of a civil trial.
19. The student shall be able to identify the purpose of opening statements.
20. The student shall be able to distinguish between direct and circumstantial evidence.
21. The student shall be able to explain the process of objections by either party during trial.

The student shall be able to describe motions that may be made after trial.
Post-Trial Motions
22. The student shall be able to identify the grounds for filing the most common post-trial motions.
23. The student shall be able to determine the time limits for filing post-trial motions.
24. The student shall be able to explain the possible outcomes if post-trial motions are granted.

Judgments
25. The student shall be able to explain the purpose of obtaining judgment.
26. The student shall be able to identify the value of a judgment.
27. The student shall be able to determine each parties' rights when judgment enforcement is requested.
28. The student shall be able to identify the most common grounds for setting aside a judgment.

Summary Judgments
29. The student shall be able to determine when the summary judgment procedure is used.
30. The student shall be able to identify the potential benefits to a party who makes a motion for summary judgment.
31. The student shall be able to explain what must be filed with a motion for summary judgment.

The student shall be able to explain options available to a litigant if (s)he is unhappy with a judgment.
**Appeals**
32. The student shall be able to identify the most common grounds for appeal.
33. The student shall be able to describe the basic steps in prosecuting an appeal.
34. The student shall be able to explain the limitations on appellate courts' authority.

**Settlements, Releases and Dismissals**
35. The student shall be able to identify the purpose of a settlement, a release, and a dismissal.
36. The student shall be able to distinguish between settlements, releases, and dismissals.
37. The student shall be able to describe what information must be included in settlement papers, release papers, or dismissals.
38. The student shall be able to distinguish between dismissals with prejudice and dismissals without prejudice.

**ASSESSMENT OF LEARNER OUTCOMES:**

Major Exams
Quizzes
Homework, attendance, and class participation.

**GRADING:** The grade for the course is based on total points possible using the following scale:

<table>
<thead>
<tr>
<th>Grade</th>
<th>Percentage</th>
</tr>
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<tbody>
<tr>
<td>A</td>
<td>90-100%</td>
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<tr>
<td>B</td>
<td>80-89</td>
</tr>
<tr>
<td>C</td>
<td>70-79</td>
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<tr>
<td>D</td>
<td>60-69</td>
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<tr>
<td>F</td>
<td>Below 60</td>
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</tbody>
</table>

**SPECIAL NOTES:**
This syllabus is subject to change at the discretion of the instructor. Material included is intended to provide an outline of the course and rules that the instructor will adhere to in evaluating the student’s progress. However, this syllabus is not intended to be a legal contract. Questions regarding the syllabus are welcome any time.

Kansas City Kansas Community College is committed to an appreciation of diversity with respect for the differences among the diverse groups comprising our students, faculty, and staff that is free of bigotry and discrimination. Kansas City Kansas Community College is committed to providing a multicultural education and environment that reflects and respects diversity and that seeks to increase understanding.

Kansas City Kansas Community College offers equal educational opportunity to all students as well as serving as an equal opportunity employer for all personnel. Various laws, including Title IX of the Educational Amendments of 1972, require the college’s policy on non-discrimination be administered without regard to race, color, age, sex, religion, national origin, physical handicap, or veteran status and that such policy be made known.
Kansas City Kansas Community College complies with the Americans with Disabilities Act. If you need accommodations due to a documented disability, please contact Director of Academic Resource Center, in Room 3354 or call (913) 288-7670.
Learning Outcomes
Discipline knowledge and content mastery is expected of all graduates. More specifically, KCKCC is committed to the Learning Outcomes listed below. We believe that competence in the Learning Outcomes is essential for the success of graduates and will enhance their ability to become contributing members of our increasingly complex world. These areas of knowledge and skills are equally valid for all KCKCC graduates, whether they transfer to a four-year college or pursue a career after leaving college.

General Education Learning Outcomes
Communication Learning Outcomes
The learner will have the ability to express, interpret, and modify ideas/information effectively (both written and oral), including but not limited to reading text accurately and correctly; writing with a clear purpose and effective organization; speaking effectively using appropriate styles that suit the message, purpose, and content; and employing active listening techniques.

Computation Learning Outcomes
The learner will have the ability to understand and apply mathematical concepts and reasoning using numerical data.

Critical Reasoning Learning Outcomes
The learner will understand inductive and deductive reasoning and have the ability to define problems and use data (qualitative and quantitative) to make complex decisions utilizing analysis, synthesis, and evaluation skills.

Technology and Information Management Learning Outcomes
The learner will have the ability to define, collect, organize, analyze, and evaluate information from a variety of sources. The learner will also have the ability to understand basic technology concepts and functionality in order to use technology as a tool to locate and retrieve information.

Community and Civil Responsibility Learning Outcomes
The learner will demonstrate knowledge, awareness, and understanding of diverse ideas, values, and perspectives of a culturally diverse world; an understanding of the ethical issues and values that are prerequisites for making sound judgments and decisions; a recognition of the obligation to become actively involved as a contributing member of the community; and a sensitivity to the awareness of aesthetic expression.
Personal and interpersonal Skills Learning Outcomes
The learner will have the ability to work cooperatively and productively with others; to understand and evaluate his/her capabilities; to manage his/her personal growth by setting realistic and appropriate goals.

SOCIAL AND BEHAVIORAL SCIENCES
STUDENT SUCCESS STRATEGIES

Know your teacher’s name.

Turn off your electronic devices in class/make paying attention to the work of the class your only concern.

Miss class only when you cannot attend/acquire missed information and materials ASAP.

Know your syllabus.

Know the attendance policy.

Know the requirements for tests and assignments.

Know information about final exam and make-up exams.

Know instructor’s position on use of Wikipedia or other online sources.

Know the instructor’s preferred writing style (APA, MLA, etc.).

Always know your grade.

Contact your teacher ASAP with concerns or questions.

Know the benefits of the academic resource center.

Know if your course has a practicum, service learning component, or other exception.

Use an academic planner.

Know the course withdrawal policy.

Know your instructor’s office hours and make appointments when necessary.

Know the school’s scholastic honesty policy.
Be familiar with the course learning objectives, course competencies, and the college’s 21st century learning outcomes for general education.