

**RARITAN VALLEY COMMUNITY COLLEGE**  
**ACADEMIC COURSE OUTLINE**  
**ADVANCED LITIGATION LEGL-123**  
**(REVISED)**

**I. Basic Course Information**

- A. Course Number and Title: LEGL 123 ADVANCED LITIGATION
- B. New or Modified Course: Modified
- C. Date of Proposal: Semester: Spring Year: 2021
- D. Effective Term: Fall 2021
- E. Sponsoring Department: Business & Public Service
- F. Semester Credit Hours: 3.0
- G. Weekly Contact Hours: Lecture: 3.0  
Laboratory: 0.0  
Out of class student work per week: 9.0
- H. Prerequisites/Corequisites: Basic Litigation Procedures LEGL-120
- I. Laboratory Fees: None
- J. Name and Telephone Number or E-Mail Address of Department Chair and Divisional Dean at time of approval: Tracy Rimple, Chair [Tracy.Rimple@raritanval.edu](mailto:Tracy.Rimple@raritanval.edu)  
Patrice Marks, Dean [Patrice.Marks@raritanval.edu](mailto:Patrice.Marks@raritanval.edu)

**II. Catalog Description**

*Prerequisite: Basic Litigation Procedures LEGL-120.* This course builds on the skills and concepts taught in Basic Litigation Procedures for students enrolled in the Paralegal Studies Program. It is designed to prepare students to assist attorneys who specialize in or regularly handle civil litigation cases. It includes an extensive overview of the litigation procedures necessary to take a case through trial, judgment and appeal, and includes the completion and attainment of the NSLT/ACEDs e-Discovery Technology Certificate.

**III. Statement of Course Need**

- A. This class is an elective course for both the Paralegal Studies A.A.S. Degree and the Paralegal Studies Certificate. It provides students with an in-depth and more advanced understanding of evidentiary and procedural rules, and litigation techniques necessary to handle contested civil cases in both state and federal courts, as well as the ability to translate this knowledge into litigation skills such as evidence collection and presentation, witness preparation, and the drafting of trial and post-trial documents. Successful students will gain recognition of ability in the form of an e-Discovery

Technology Certificate, which will provide them with a skillset that is cutting-edge in the litigation field.

- B. This course has no lab component.
- C. This course will transfer into any school with a Paralegal Studies four year degree, which includes Montclair, Thomas Edison, and St. Elizabeth College in New Jersey. It will also transfer to any four-year institution offering an ABA approved paralegal program of study.

#### **IV. Place of Course in College Curriculum**

- A. Elective Course.
- B. This course serves as an elective for both the Paralegal Studies A.A.S. Degree and the Paralegal Studies Certificate.
- C. for both the Paralegal Studies AAS Degree and the Paralegal Studies Certificate.
- D. To see course transferability: a) for New Jersey schools, go to the NJ Transfer website, [www.njtransfer.org](http://www.njtransfer.org); b) for all other colleges and universities, go to the individual websites.

#### **V. Outline of Course Content**

##### **UNIT I**

The first portion of the semester will be spent reviewing the basic principles of trial preparation, including the drafting of discovery documents and pleadings. It will also include an in-depth study of the categories of trial evidence, its preservation and presentation before the jury. Both N.J. and Federal Rules of Evidence will be studied.

- A. Review
  - 1. Identifying Causes of Action
  - 2. Drafting Pleadings
  - 3. Discovery Techniques
- B. Evidence
  - 1. Categories of Evidence
  - 2. Preservation and Use of Evidence at Trial
  - 3. Federal & NJ State Rules of Evidence
- C. Trial Preparation
  - 1. File organization
  - 2. Trial Chart
  - 3. Trial Notebook Set-up & Preparation
  - 4. Document control
  - 5. Witness Preparation
- D. Pretrial Conference
  - 1. Scope, Purpose and Objectives
  - 2. Federal vs. N.J. State Rules
  - 3. Pretrial Memorandums
- E. Civil Trial Process
  - 1. Calendar Call and Continuances
  - 2. Jury Selection
  - 3. Paralegal Duties in Presentation of Case

##### **UNIT II**

The second portion of the course will teach the student the necessary skills for posttrial casework such as preparation of motions, judgments, settlements and appeals. The

proper role of the paralegal is collecting and executing judgments, determining the grounds for appeal and negotiating a settlement will be discussed in detail.

A. Post Trial Motions

1. Purpose and Format
2. Filing and Time Requirements
3. Types

B. Judgments

1. Preparation and Filing
2. Enforcement of Judgments
3. Transferability of Judgments

C. Appeals

1. Federal vs. N.J. State Process
2. Preparation of Appeal
3. Oral Argument
4. Written Opinions

D. Terminating the Civil Suit

1. Settlement Documents & Preparation
2. Friendly Proceedings
3. Offers of Judgment
4. Dismissals
  - a. Consent judgments – format, preparation and filing
  - b. Stipulations of dismissal – format, preparation and filing

**UNIT III**

Throughout the semester, students will access the National Society for Legal Technology website, and using online instruction from the NSLT and the Association of Certified Electronic Discovery Specialists (ACEDS), will the learn specific processes and software used for e-discovery. Students will complete class assignments, knowledge checks, interactive tutorials and software embedded testing, and upon mastering 10 different e-discovery courses, students will attain their e-Discovery Technology Certificate.

**VI. General Education and Course Learning Outcomes**

**A. General Education Learning Outcomes:**

At the completion of the course, students will be able to:

1. Produce written work that reflects critical and creative thought relative to civil litigation procedures. (GE-NJ 1)
2. Develop the ability to communicate clearly and logically, utilizing both verbal and written skills, in preparation of litigation documents. (GE- NJ 1)
3. Research, collect and organize information, utilizing technology, the internet and legal research sites to draft appropriate civil litigation and e-discovery documents. (GE-NJ 4 & GE-NJ IL)
4. Recognize, analyze and evaluate the ethical principles in litigation practice. (GE-NJ ER\*)

\*Embedded Critical Thinking

**B. Course Learning Outcomes:**

At completion of this course, students will be able to:

1. Explain litigation techniques from the point of initial client contact through post-trial motion practice.
2. Apply the rules of evidence to both pretrial and trial practice.
3. Identify the role of the paralegal in preparing a file for trial, including preparation of witnesses, availability and preservation of evidence, and trial use of discovery.
4. Draft and explain the purpose of trial documents, such as retainer agreements, pretrial memorandums, motions for summary judgment, the trial folder, charges to the jury, and formal settlement offers.
5. Explain the trial process from selection of the jury through presentation of the case, from both plaintiff's and defendant's perspective.
6. Identify ethical considerations in the handling of civil litigation matters.
7. Explain the procedures used in post-trial and appellate practice, including execution, collection of judgments, and rules of appellate procedure.
8. Draft various legal documents incident to enforcement of a civil judgment and appeal.
9. Complete the requirements for and attain the e-Discovery Technology Certificate from the National Society for Legal Technology and the Association of Certified Electronic Discovery Specialists (ACEDS).

### **C. Assessment Instruments**

1. Examinations
2. Document Preparation Assignments based on fact patterns
3. Knowledge Checks
4. NSLT/ACEDS Tutorial Completion
5. Class Participation

### **VII. Grade Determinants**

- A. Examinations
- B. Drafting of Litigation Documents
- C. NSLT/ACEDS Tutorial Completion
- D. Attainment of e-Discovery Certificate
- E. Class Participation

Methods for teaching and learning:

- A. lecture/discussion
- B. online e-discovery software instruction
- C. computer-assisted document drafting instruction
- D. internet and government legal resource research instruction

### **VIII. Texts and Materials**

- A. Textbook: Hart & Blanchard, *Litigation & Trial Practice for the Legal Assistant* (Current Edition); Cengage Publishing Company
- B. Access to the NSLT/ACEDS Learning Portal
- C. Internet and Web-based legal resources

(Please Note: The course outline is intended only as a guide to course content and resources. Do not purchase textbooks based on this outline. The RVCC Bookstore is the sole resource for the most up-to-date information about textbooks.)

## **IX. Resources**

This course will require use of the RVCC library and access to the internet.