

**MIAMI-DADE COMMUNITY COLLEGE  
LEGAL ASSISTANT PROGRAM**

**COMPETENCY STATEMENT**

**PLA 2203 – Trial Preparation**

**Course Description:**

Trial Preparation focuses on the role of the paralegal in litigation. The course examines the various instruments used in the litigation process. Students are required to draft these documents and prepare a trial notebook. Students acquire practice in writing interrogatories and learn to summarize depositions. They also become familiar with the Rules of Civil Procedure.

**Credits:** 3

**Prerequisites and Co-requisites:** The student must have completed PLA 2003, Fundamentals of Law; PLA 2104, Legal Research; PLA 2114, Legal Writing.

**Course Competencies:**

*Competency 1: The student will understand the process of litigation.*

The student will be able to:

- A. Identify the role, purpose and function of the litigation process.
- B. Describe and analyze the sequence of chronological procedural steps for commencement of litigation for both jury and bench trials.
- C. Explain the function of the various participants in the litigation process including judges, attorneys and court personnel.
- D. Discuss the ethical and professional responsibilities of the lawyer and the paralegal in civil litigation.
- E. Describe when to apply the various service of process methods and their practical limitations.

*Competency 2: The student will understand the structure and jurisdiction of the State of Florida and Federal trial courts.*

The student will be able to:

- A. Describe the composition and organization of the State of Florida Trial.
- B. Describe the composition and organization of the Federal Trial Courts.

- C. Discuss the difference between in personam, in rem, quasi in rem, subject matter and diversity jurisdiction.

*Competency 3: The student will become familiar with Rules of Civil Procedure.*

The student will be able to:

- A. Describe the purpose and function of the Rules of Civil and Criminal Procedure in the litigation process.
- B. Discuss the Federal Rules of Civil Procedure as well as the differences with state rules.
- C. Explain how federal rules differ from the state rules.
- D. Utilize the Florida Rules of Civil Procedure in preparing various pleadings and motions.

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

The student will be able to:

- A. Describe the procedures involved in interviewing witnesses for trial.
- B. Conduct an interview with a client.
- C. Draft deposition questions, interrogatories, answers to interrogatories, requests for production of documents and requests for admissions.
- D. Organize and index documents obtained through discovery.
- E. Research and gather investigatory documents such as medical records, police records and incorporation records.
- F. Prepare witnesses for depositions and arrange the time and place for depositions.
- G. Summarize depositions of clients and witnesses.
- H. Assist in the preparation of depositions.
- I. Draft preliminary legal memoranda, briefs, Motions for Summary Judgment and other pre-trial Motions.

*Competency 5: The student will understand how to prepare the various written instruments required throughout the trial process.*

The student will be able to:

- A. Identify the purpose and use of the various written legal documents used in the litigation process such as complaints, motions, discovery instruments, notice of hearing.
- B. Explain the use and limitation of commercial forms used in litigation such as a *Lis Pendens*.

C. Prepare material for use during the litigation process including but not limited to:

1. Complaints and Answers.
2. Legal memoranda and briefs.
3. Settlement documents including releases, dismissals and satisfactions.
4. Trial notebook with all litigation materials.

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