

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

COMPETENCY STATEMENT

PLA 2223 – Trial Practice and Appeals

Course Description:

Trial Practice and Appeals examines the differences between jury and bench trials, the trial process, and the role of the litigation paralegal who assists the attorney in the preparation for trial.

Credits: 3

Prerequisites and Co-requisites: The student must have completed PLA 2003, Fundamentals of Law; PLA 2104, Legal Research; PLA 2114, Legal Writing; PLA 2203, Trial Preparation.

Course Competencies:

Competency 1: The student will understand the key aspects of a civil trial.

The student will be able to:

- A. Describe the differences, advantages, and disadvantages of jury trial versus a bench trial.
- B. Prepare a trial notebook.
- C. Prepare subpoenas and identify how to compel attendance of witnesses and production of evidence.
- D. Identify how to make a proper record.
- E. Assimilate information and investigate jury panels.
- F. Prepare questions for voir dire and for jury selection.
- G. Evaluate prospective jurors during voir dire.
- H. Chart and record the jury selection process.
- I. Prepare an opening statement, direct examination, cross-examination and closing.
- J. Identify the role of experts for trial and assist with preparation of the expert witness for trial.
- K. Prepare judgments, verdict forms, jury instructions as well as post-trial orders.
- L. Describe the rules of procedure that apply to a civil trial.

Competency 2: The student will become familiar with the essential steps of a civil appeal.

The student will be able to:

- A. Describe the various orders that may be subject to appeal.
- B. Explain appellate jurisdiction.
- C. Prepare a Notice of Appeal.
- D. Describe the critical time limits involved in an appeal.
- E. Discuss the Florida Rules of Appellate Procedure.
- F. Understand the requirements of the 3rd District Court of Appeal, Florida.

Competency 3: The student will become familiar with the rules that govern the admission of exclusion of evidence during litigation.

The student will be able to:

- A. Identify the meaning and purpose of evidence and the rules governing its use in terms of qualitative and quantitative controls upon admissibility.
- B. Describe and analyze the concepts of Judicial Notice.
- C. Discuss the concepts of burden of proof, presumptions, and inferences.
- D. Interpret the significance of the requirements of relevancy, competency, and admissibility of evidence.
- E. Identify the difference between the use of best (primary) and secondary evidence.
- F. Explain the proper use of limitation of opinion evidence, and expert testimony.
- G. Analyze the proper use and limitation of hearsay evidence.

Rev. 4/03