PLA2203 CIVIL LITIGATION 1

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**CIVIL LITIGATION 1**

**Course Description:** Civil Litigation 1 focuses on the role of the paralegal in litigation and involves knowledge of the rules of civil procedure and the preparation and use of various written instruments utilized throughout the trial process. (3 hr. lecture)  
Prerequisite: PLA2003, PLA2104, PLA2114, ENC1102, ENC1101

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### Course Competency

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

1. Identifying the role, purpose and function of the litigation process.
2. Describing and analyzing the sequence of chronological procedural steps for commencement of litigation for both jury and bench trials.
3. Explaining the function of the various participants in the litigation process including judges, attorneys and court personnel.
4. Discussing the ethical and professional responsibilities of the lawyer and the paralegal in civil litigation.
5. Describing 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 by:

1. Describing the composition and organization of the State of Florida Trial Courts.
2. Describing the composition and organization of the Federal Trial Courts.
3. Discussing the difference between in personam, in rem, quasi in rem, subject matter and diversity jurisdiction.

### Competency 3:** The student will become familiar with the Rules of Civil Procedure by:

1. Describing the purpose and function of the Rules of Civil and Criminal 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. Utilizing 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 by:

1. Describing the procedures involved in interviewing witnesses for trial.
2. Conducting an interview with a client.
3. Drafting deposition questions, interrogatories, answers to interrogatories, requests for production of documents and requests for admissions.
4. Organizing and indexing documents obtained through discovery.
5. Researching and gathering investigatory documents such as medical records, police records and incorporation records.
6. Preparing witnesses for depositions and arranging the time and place logistics for depositions.
7. Summarizing depositions of clients and witnesses.
8. Assisting in the preparation of depositions.

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

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<tr>
<td>1.</td>
<td>Identifying the purpose and use of the various written legal documents used in the litigation process such as complaints, motions, discovery requests and notice of hearing.</td>
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<td>2.</td>
<td>Explaining the use and limitation of commercial forms used in litigation such as a Lis Pendens.</td>
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<td>3.</td>
<td>Preparing material for use during the litigation process including but not limited to: Complaints and Answers; Legal memoranda and briefs; Settlement documents including releases, dismissals and satisfactions; and Trial noteboook with all litigation materials.</td>
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