



Western Technical College

10110102 Civil Litigation 1

Course Outcome Summary

Course Information

Description	Outlines the initial stages of civil litigation including initial client contact, investigation, pleadings, and motions.
Career Cluster	Law, Public Safety, Corrections and Security
Instructional Level	Associate Degree Courses
Total Credits	3
Total Hours	54

Textbooks

Civil Litigation. 8th Edition. Copyright 2020. Kerley, Peggy, Joanne Banker Hames, and Paul Sukys. Publisher: Cengage Learning. **ISBN-13**: 978-1-337-79883-9. Required.

Success Abilities

1. Cultivate Passion: Enhance Personal Connections
2. Cultivate Passion: Expand a Growth-Mindset
3. Cultivate Passion: Increase Self-Awareness
4. Refine Professionalism: Improve Critical Thinking
5. Refine Professionalism: Participate Collaboratively
6. Refine Professionalism: Practice Effective Communication

Program Outcomes

1. Apply ethical principles in a legal environment
2. Process legal documents

3. Synthesize various sources into a supportable legal conclusion

Course Competencies

1. Evaluate causes of action and defenses.

Assessment Strategies

- 1.1. using jury instructions and fact situations
- 1.2. using fact situations provided.
- 1.3. using case law.
- 1.4. in small group exercises.
- 1.5. in written assessments

Criteria

You will know you are successful when

- 1.1. you draft the substantive pleadings for civil actions.
- 1.2. you identify all key elements of pleadings in allegations.
- 1.3. you complete projects to align the cause of action elements

Learning Objectives

- 1.a. Explain cause of action and defense.
- 1.b. Use jury instructions to identify elements of cause of action.
- 1.c. Analyze jury instructions in light of fact situations.
- 1.d. Distinguish among intentional, negligent, and strict liability torts.
- 1.e. Distinguish between contract and tort law.
- 1.f. Describe available remedies for each cause of action.

2. Evaluate the investigation process for evidence and computer forensic data.

Assessment Strategies

- 2.1. in written assignments using factual situations.
- 2.2. in small group exercises.

Criteria

You will know you are successful when

- 2.1. you conduct an interview of a prospective client.
- 2.2. you write a complete summary of evidence and forensic findings.
- 2.3. you use appropriate legal terminology.

Learning Objectives

- 2.a. Explain the need for comprehensive interviewing.
- 2.b. Contrast interviewing techniques, explaining how they elicit different responses.
- 2.c. Explain the ethical related considerations for gathering evidence.
- 2.d. Analyze the types and methods of preserving evidence.
- 2.e. Demonstrate ability to report findings in written summary.

3. Prepare initial litigation and response pleadings.

Assessment Strategies

- 3.1. in written assignments using factual situations with Wisconsin law.
- 3.2. in an objective test or essay exam.

Criteria

You will know you are successful when

- 3.1. you draft a summons, complaint, and answer using appropriate legal terminology and appropriate statutory requirements.
- 3.2. you draft documents containing appropriate caption, jurisdictional allegations, factual allegations, legal allegations which constitute a cause of action or defense, wherefore clause, and signature requirements.
- 3.3. you address allegations and raise all appropriate defenses in response pleadings.
- 3.4. you differentiate among personal, substituted, and service by publication.

Learning Objectives

- 3.a. Describe the purpose and components of initial and response pleadings.
- 3.b. List the pleadings allowed in Wisconsin courts.

4. Evaluate motion practice.

Assessment Strategies

- 4.1. Written Product
- 4.2. Written Objective Test

Criteria

You will know you are successful when

- 4.1. You draft motions using factual situations.
- 4.2. You complete an exam differentiating the types of motions and their purpose.

Learning Objectives

- 4.a. Explain the purpose of motions.
- 4.b. Differentiate among pre-trial, trial and post-trial motions.
- 4.c. Describe the statutory motion procedure.

5. Analyze discovery demands.

Assessment Strategies

- 5.1. in written assignments using Wisconsin Court Rules and Procedures.
- 5.2. using fact situations provided.
- 5.3. in an objective test or essay exam.

Criteria

You will know you are successful when

- 5.1. you draft each type of discovery request.
- 5.2. you use appropriate legal terminology and statutory requirements in all documents.
- 5.3. you complete an examination on all discovery demand elements.

Learning Objectives

- 5.a. List the types of formal discovery.
- 5.b. Explain the needs and uses for each type of discovery.
- 5.c. Describe the scope and limitations of discovery including work product, privilege, and protective orders.
- 5.d. Discuss the various objections to discovery.
- 5.e. List the steps for responding to discovery.
- 5.f. Explain the importance of and methods for document management in response to requests for production.
- 5.g. Describe the sanctions for failing to comply with discovery.
- 5.h. Discuss the types of situations that require a subpoena duces tecum.
- 5.i. List the types of documents that can be requested in a subpoena duces tecum.