# Legal Proceedings Course No. 44310 Credit: 1.0

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| **Student name:** |  | **Graduation Date:** |  |

Pathways and CIP Codes: **Corrections, Security, Law, & Law Enforcement Services (43.0199) – Pre-Law Strand**; Government & Public Administration (44.0401)

Course Description: This **application level** course is designed to explain the legal process of a courtroom including mediation, arbitration, and litigation in both civil and criminal proceedings. Students will understand the rule of law and restorative justice. Students will also apply communication and active listening skills, as well as learn case file management and the professionalism required in the legal field.

Directions:The following competencies are required for full approval of this course. Check the appropriate number to indicate the level of competency reached for learner evaluation.

**RATING SCALE:**

4. Exemplary Achievement: Student possesses outstanding knowledge, skills or professional attitude.

3. Proficient Achievement:Student demonstrates good knowledge, skills or professional attitude. Requires limited supervision.

2. Limited Achievement:Student demonstrates fragmented knowledge, skills or professional attitude. Requires close supervision.

1. Inadequate Achievement:Student lacks knowledge, skills or professional attitude.

0. No Instruction/Training:Student has not received instruction or training in this area.

## Benchmark 1: Describe and Apply U.S. Litigation System Processes

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 1.1 | Describe the key steps in the mediation or plea bargain process and apply that knowledge to determine which types of disputes are well-suited for mediation or plea bargains. |  |
| 1.2 | Describe the key steps in the arbitration process and apply that knowledge to determine which types or disputes are well-suited for arbitration. |  |
| 1.3 | Describe the key steps in the restorative justice (youth court) process and apply that knowledge to determine which types of disputes are well-suited for restorative justice. |  |
| 1.4 | Describe the key steps in the litigation process and apply that knowledge to determine which types or disputes are well-suited for litigation. |  |
| 1.5 | Compare and contrast the key steps and the burden of proof in civil cases and criminal cases. |  |

## Benchmark 2: Understand, Explain, and Analyze the Rule of Law in Legal Proceedings

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 2.1 | Understand, compare, and explain the different sources of our laws: Constitution, Statutes, and Case Law. |  |
| 2.2 | Understand and explain how legal precedent and stare decisis provides a stable rule of law. |  |
| 2.3 | Understand and explain how a stable rule of law provides both benefits and detriments for society. |  |
| 2.4 | Understand and analyze post-judgement issues and implications, including restitution, rehabilitation, recidivism, and collection of judgements. |  |

## Benchmark 3: Describe Pre-Trial Proceedings and Draft Common Documents

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 3.1 | Describe the duties of prosecutors (in criminal cases) and plaintiff’s attorneys (in civil cases) to analyze relevant facts and law before filing a lawsuit. |  |
| 3.2 | Describe the procedures for initiating claims in civil and criminal cases, and the process for responding to those claims. |  |
| 3.3 | Describe the types of formal discovery mechanisms in civil cases. |  |
| 3.4 | Describe the types of formal discovery mechanisms in criminal cases. |  |
| 3.5 | Draft pleadings and other documents commonly used in the civil and criminal litigation process. |  |

## Benchmark 4: Understand, Explain, and Apply the Phases of the Trial Process or Restorative Justice

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 4.1 | Understand and explain the different phases of trials or restorative justice. |  |
| 4.2 | Work individually and in teams to apply the effective research and technical skills, reading skills, listening skills, problem solving and critical thinking skills that are required in trials or restorative justice. |  |
| 4.3 | Work individually and in teams to apply the different phases of trials or restorative justice to hypothetical or real fact patterns, with students assuming the roles and functions required in legal proceedings. |  |
| 4.4 | Communicate clearly, effectively, and with reason before and during the legal processes. |  |
| 4.5 | Demonstrate effective case file management and organization throughout the trial or restorative justice process. |  |
| 4.6 | Observe and reflect on a “real” court proceeding, or shadow with a legal professional, and explain and evaluate the strategies and techniques that were observed. |  |

## Benchmark 5: Describe Post-Trial Proceedings and Appeals

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 5.1 | Describe post-trial alternatives. |  |
| 5.2 | Explain the procedures for appealing a civil and criminal judgment. |  |
| 5.3 | Describe methods of enforcing a judgment. |  |

## Benchmark 6: Explore and Explain the Roles and Opportunities in the Legal Field

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 6.1 | Describe the roles of attorneys and legal assistants in the litigation process. |  |
| 6.2 | Explain the role of judges, clerks, court reporters, bailiffs, and other courtroom personnel. |  |
| 6.3 | Explain the distinction between zealous advocacy and the attorneys' role as an officer of the court, including the benefits of cooperation with opposing counsel. |  |
| 6.4 | Explore and examine the community services provided by pro bono attorneys and other non-profit providers of legal services. |  |
| 6.5 | Apply knowledge of legal proceedings to plan a legal career path OR to create a scenario where the knowledge could apply in real life. |  |

I certify that the student has received training in the areas indicated.

Instructor Signature:

For more information, contact:

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