

MODULE SPECIFICATION

1. **Title of the module**
Litigation I - Civil
2. **School or partner institution which will be responsible for management of the module**
Pearson College London
3. **The level of the module**
Level 4
4. **The number of credits and the ECTS value which the module represents**
15 credits (7.5 ECTS)
5. **Which term(s) the module is to be taught in (or other teaching pattern)**
The module will always be taught in the first term of a student's studies at level 4 (stage 1) (whether or not they start in September or January).
6. **Prerequisite and co-requisite modules**
Prerequisites: Law of Contract, Law of Tort
Co-requisites: N/A
7. **The programmes of study to which the module contributes**
Certificate of Higher Education

Diploma of Higher Education

LLB (Honours)

LLB Law with Accountancy

LLB Law with Business Management

MLaw Legal Professional Practice (Exempting)
8. **The intended subject specific learning outcomes**
On successful completion of this module, students should be able to demonstrate:

Subject Specific Knowledge and Skills

1. A knowledge and understanding of the key principles, sources and practices of Civil Litigation, including: the Civil Procedure Rules; the critical steps in the litigation process and the court's role in it; the various different forums and methods for dispute resolution; the costs rules and their impact on the conduct of litigation; enforcement and appeal of judgments; and the appropriate documentation required for each stage of the process.

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2. A knowledge and understanding of the steps necessary to prepare a case for trial, and the procedural and evidential issues arising from issues such as the use of expert witnesses, witnesses of fact and disclosure.
3. An ability to apply their knowledge of civil law and procedure to complex practical legal problems of the kind they might encounter in civil practice, and derive reasoned conclusions that may form the basis for advice.
4. An ability to devise and sustain arguments based on appropriate and reflective use of the main modes of enquiry and sources within civil law and procedure and critically analyse and synthesise the information thereby collected, with a view to proposing informed and reasoned solutions to practical legal problems.
5. An ability to investigate and identify relevant facts, research and identify the corresponding legal issues, and advise accordingly on the legal consequences of particular courses of action.
6. An ability to use their knowledge and understanding of the process of Civil Litigation to advance matters in this field of practice, for example by drafting the appropriate documentation for each stage of the process.
7. An ability to recognise those situations which raise ethical questions, and which may require an application of the Code of Conduct.
8. An ability to use the legal knowledge, skills, procedures and behaviours appropriate to each client and each transaction matter.

General Transferable Skills

1. An ability to identify the client's goals and alternative means of achieving those goals, and offer reasoned advice to them, in light of their financial, commercial and personal priorities and constraints and the costs, benefits and risks involved with particular courses of action.
2. Communicate solutions to legal problems coherently to a range of clients and other professionals.

9. **A synopsis of the curriculum**

In the course of studying this module, students will cover the following five key elements:

Element 1: An overview of the key parts of the Civil Procedure Rules.

Element 2: The limitation and financing considerations in a civil litigation case.

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Element 3: The impact of the Solicitors' Code of Conduct and professional obligation on the handling of a civil case.

Element 4: Procedures in the civil litigation process from protocol to final judgement and to enforcement.

Key skills developed:

- Advocacy
- Drafting
- Writing
- Practical legal research
- Communication and Literacy
- File management
- Negotiation
- Numeracy
- Teamwork
- Managing and Developing Self
- Managing tasks and solving problems
- Computing and IT Skills

10. Reading List (Indicative list, current at time of publication. Reading lists will be published annually)

All textbooks and practitioner materials will be updated annually. Textbooks will be held in the latest edition and older editions will be withdrawn.

	<ul style="list-style-type: none"> • Title, author, publisher
Core Text	<ul style="list-style-type: none"> • Civil Litigation, Browne, K & Catlow, M, Legal practice guide.
Essential Reading	<ul style="list-style-type: none"> • White Book Service: Civil Procedure Rules, Lord Justice Jackson, [Online] Westlaw • Solicitors Regulatory Authority. SRA Handbook [Online] https://www.sra.org.uk/handbook/ • Solicitors Regulatory Authority. SRA Code of Conduct [Online] http://www.sra.org.uk/solicitors/handbook/code/content.page
Recommended Reading	<ul style="list-style-type: none"> • Bullen & Leake & Jacob's Precedents of Pleadings [Online] Westlaw

11. Learning and Teaching Methods, including the nature and number of contact hours and the total study hours which will be expected of students, and how these relate to achievement of the intended module learning outcomes

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Learning and Teaching methods

Learning and teaching takes place through four key activities. These comprise a blend of technical skills training; guided tasks assisting in self-directed research and study; practical application in a commercial context; and consolidation. Conceptually, the aim of the learning and teaching methodology is to mirror as closely as possible a trainee's experience in the civil department of a law firm.

Part A – Technical skills training

The trainee is briefed in detail on the relevant legal area (this can take a variety of forms, including, for example: webinars; live and / or recorded lectures; and conference calls).

Part B – Self-directed research/Guided tasks

The supervising partner will guide the trainee via e-mails and/or recorded voicemails into the relevant areas that need to be researched. This may include such activities as reading articles and practitioner texts and drafting relevant documentation.

Part C – Seminar

The trainee will perform the tasks required (see below for examples of the kind of activities which will take place).

Section D – Consolidation

This may be in the form of independent reflection / online student discussion forum / associated tutor dialogue (e.g. via email) as students absorb the issues raised in the briefings and seminars through the consolidation process. As this is a practical course, the focus will be weighted to ensure understanding of the law before then applying it to the facts at hand. Independent learning will include, private study, research, drafting, group work and assessment work.

Activity	Notional Hours of Study
Technical skills training	10
Self-directed research / guided tasks	100 (including assessment preparation and completion)
Seminars	20
Consolidation	20
Total	150

12. Assessment methods and how these relate to testing achievement of the intended module learning outcomes

This module will be assessed by a supervised assessment of 3 hours' duration, split into two parts:

Part A - A practical, time-constrained test requiring written responses using a file of advance information (1.5 hours) (50%);

Part B - A written assessment comprising: a) objective testing on the litigator's procedural and strategic decision-making; b) an evidence management test; c) a 'legal solutions' test based on a combination of seen and unseen information; and d) an ethics and professional conduct test (1.5 hours) (50%).

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The pass mark for the module is 50%. Students will be required to attempt both parts of this assessment. Since the learning outcomes tested by each part overlap (see further detail below) an overall pass of 50% will be sufficient to pass the assessment.

Rationale

This methodology reflects two key objectives: firstly, and most importantly, to assess that the learning outcomes set out above have been achieved by the students in a way which complies with the Legal Practice Course Assessment Regulations. Secondly, to align our assessment regime with that proposed by the Solicitors Regulation Authority for the new Solicitors Qualifying Exam.

The proposed assessment methodology, combining a transaction based examination with objective testing we feel achieves both of these goals.

13. *Map of Module Learning Outcomes to Learning and Teaching Methods and methods of Assessment*

Module learning outcome		SS1	SS2	SS3	SS4	SS5	SS6	SS7	SS8	GTS1	GTS2
Learning/teaching method	Hours allocated										
Private Study	108	X	X	X	X	X	X	X		X	X
Group Study	10			X	X	X	X	X	X	X	X
Technical Skills Training	12	X	X			X	X	X	X		X
Seminar	20	X	X	X	X	X	X	X	X	X	X
Assessment method											
Part 1		X	X	X	X	X	X		X	X	X
Part 2		X	X	X			X	X	X	X	X

14. The Collaborative Partner recognises and has embedded the expectations of current disability equality legislation, and supports students with a declared disability or special educational need in its teaching. Within this module we will make reasonable adjustments wherever necessary, including additional or substitute materials, teaching modes or assessment methods for students who have declared and discussed their learning support needs. Arrangements for students with declared

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disabilities will be made on an individual basis, in consultation with the Collaborative Partner's disability/dyslexia support service, and specialist support will be provided where needed.

15. Campus(es) or Centre(s) where module will be delivered:

Pearson College London

16. Partner College/Validated Institution:

Pearson Business School, part of Pearson College London

17. University School responsible for the programme:

Kent Law School

FACULTIES SUPPORT OFFICE USE ONLY

Revision record – all revisions must be recorded in the grid and full details of the change retained in the appropriate committee records.

Date approved	Major/minor revision	Start date of the delivery of revised version	Section revised	Impacts PLOs (Q6&7 cover sheet)