

**CUYAMACA COLLEGE**  
**COURSE OUTLINE OF RECORD**

**PARALEGAL STUDIES 160 – PERSONAL INJURY**

1 hour lecture, 1 unit

**Catalog Description**

Study of the essentials of tort actions with an emphasis on personal injury and other forms of negligence. Special attention will be given to the elements of a cause of action in negligence. Theories of recovery, defenses, case handling, witness interviewing, working with insurance carriers, and evidence requirements under current California law will be reviewed. Students will review the particular ethical constraints on personal injury paralegals.

**Prerequisite**

“C” grade or higher or “Pass” in PARA 100 or equivalent

**Entrance Skills**

This course will deal with a major area of substantive law and how it relates to other areas of the law, so an understanding of substantive and procedural law is critical. Without the following skills, competencies and/or knowledge, students entering this course will be highly unable to succeed:

- 1) Understand the judicial system as to Federal and state court structure and the administrative system.
- 2) Demonstrate knowledge of the major substantive areas of the law and how they differ from procedural law.
- 3) Demonstrate the ability to find their way around a law library, and write interoffice memorandum and various types of letters.
- 4) Understand the importance of keeping track of billable hours and the ability to do so.
- 5) Identify the various types of software and technology used in a law office.
- 6) Understand the importance of ethics and the rules of Professional Responsibility.
- 7) Identify the Unlawful Practice of Law.

**Course Content**

- 1) Torts
  - a. Willful or intentional
  - b. Strict liability
  - c. Negligence
    1. Duty/breach of duty
    2. Causation
    3. Damages
    4. Defenses
- 2) Statutes of Limitations for Torts
- 3) Case Preparation
  - a. Evaluation
  - b. Investigative techniques
  - c. Settlement value
  - d. Negotiations
- 4) Preparation for Trial

**Course Objectives**

Students will be able to:

- 1) Identify the proper court which has jurisdiction over personal injury matters.
- 2) Recognize and calculate the applicable statute(s) of limitations and filing deadlines for government claims for each of the major types of torts including negligence.
- 3) Identify the pleadings and other formal documents typical to a negligence case involving personal injury, death and/or property damage.
- 4) Conduct client and witness interviews to determine the operative legal facts applicable to causes of action for negligence and other torts.
- 5) Analyze the elements of a personal injury cause of action.
- 6) Determine and be able to apply the facts of a specific case to the typical defenses of a personal injury action including, but not limited to, contributory negligence, assumption of the risk, and last clear chance.
- 7) Explain the professional and ethical responsibilities of the paralegal.

**Method of Evaluation**

A grading system will be established by the instructor and implemented uniformly. Grades will be based on demonstrated proficiency in subject matter determined by multiple measurements for evaluation, one of which must be essay exams, skills demonstration or, where appropriate, the symbol system.

- 1) Quizzes and tests that measure students' ability to appropriately use legal terminology, apply tort concepts, and assess potential ethical problems.
- 2) Written and group assignments that require students to analyze fact scenarios and choose the appropriate substantive or procedural law to apply to the scenarios in order to solve the hypothetical client's legal dispute.
- 3) Written assignments that measure students' ability to prepare a pleading, letter or other formal document used in the development and execution of a hypothetical client's personal injury case.

**Special Materials Required of Student**

None

**Minimum Instructional Facilities**

Smart classroom

**Method of Instruction**

- 1) Observation of student
- 2) Lecture and case study
- 3) Written assignments and document drafting

**Out-of-Class Assignments**

- 1) Reading assignments
- 2) Short writing assignments
- 3) Short research assignments

**Texts and References**

- 1) Required (representative example): CEB OnLaw 2021.
- 2) Supplemental: As assigned by instructor

**Student Learning Outcomes**

Upon successful completion of this course, students will be able to:

- 1) Identify the proper court which has jurisdiction over personal injury matters.
- 2) Recognize and calculate the applicable statute(s) of limitations and filing deadlines for government claims for each of the major types of torts including negligence.

- 3) Identify the pleadings and other formal documents typical to a negligence case involving personal injury, death and/or property damage.
- 4) Conduct client and witness interviews to determine the operative legal facts applicable to causes of action for negligence and other torts.
- 5) Analyze the elements of a personal injury cause of action.