

**Justice Institute of British Columbia**  
**COURSE OUTLINE**

<b>Course Code:</b>	<b>CCR211</b>
<b>Course Title:</b>	<b>Civil Procedure (Online)</b>
<b>Prerequisite Courses:</b>	CCR100 (formerly CR110A) or CCR101 (formerly CR110B), and CCR180 (formerly CR250)
<b>School:</b>	Social and Community Justice
<b>Division/Academy/Centre:</b>	Conflict Resolution
<b>Previous Course Code &amp; Title:</b>	CR846-Civil Procedure
<b>Course First Offered:</b>	June 1, 2008

<b># of Credits:</b>	<b>1.0</b>
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**Course Description:**

This course is for those who want to practice mediation in the context of the civil justice system. It is required for mediators who do not have a law degree and want to be considered for the BC Mediator Roster. The course examines the aspects of civil procedure that mediators need to be familiar with: what the litigation track looks like, including the practicalities of time and cost as a typical case proceeds through the system, as well as the role of lawyers in litigation and mediation. You will also learn how court rules use expense to encourage settlement, the difference between the formal legal parties and the real decision-makers in a lawsuit, and the rules of evidence that commonly arise in mediation. On-line course methodology includes a series of readings, exercises, assignments and group discussions.

**Course Goal(s):**

At the completion of this 2-day (14-hour) course, the learner will be able to:

- Understand aspects of civil procedures essential for practicing mediation in the context of the civil justice system.

**Learning Outcomes:**

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

1. Identify the major steps that a lawsuit may have gone through before mediation and what major legal steps a lawsuit will go through after the mediation, should it not result in settlement.
2. Identify the role of lawyers in litigation and mediation.
3. Define the meaning of litigation terminology that commonly arises in mediation.

4. Describe the evidentiary rules that commonly arise in mediation and be able to discuss them from an interest-based point of view.
5. Identify points in the mediation where the parties should understand how the litigation process works.
6. Explain the rules which apportion the expenses of litigation, and describe the differences between the 'formal parties' and the real decision makers in a lawsuit and in mediation.
7. Describe how the rules of court use expense to encourage parties to settle.
8. Articulate the fundamental differences between the rights-based adversarial approach to litigation, and an interest-based, problem solving approach in mediation.
9. Identify points in mediation where parties should understand how the litigation process works, and other options for settlement including judicial settlement tools.

**Course Topics/Content:**

- Four phases in a law suit.
- Lawyers role in mediation vs. litigation.
- Evidentiary rules common in mediation.
- How rules of court use expenses to encourage settlements.
- Parties at mediation.
- Differences between adversarial and interest-based approaches.
- Judicial settlement tools.
- Formalizing an agreement.

**Text and Resource Materials:**

**Required:**

Harris, T. (2006). *Civil Procedure Study Guide*. New Westminster: Justice Institute of BC.

**Recommended:**

**Course Level:**

X	First Year		Second Year		Third Year		Fourth Year
	Graduate		Other (describe):				

**Equivalent Course(s) within the JIBC:** None

**Class Delivery Methods:**

<b>Delivery Methods</b>	<b>Class Option A (Hours)</b>	<b>Class Option B (Hours)</b>	<b>Class Option C (Hours)</b>	<b>Class Option D (Hours)</b>
Classroom/Lecture/Discussion				
Simulation/Lab				
Practicum/Fieldwork				
Online	14			
Correspondence				
<b>Total Class Hours</b>	<b>14</b>			

**Comments on Delivery Methods:**

**Course Grading System:**

<input type="checkbox"/>	Letter Grades	<input type="checkbox"/>	Percentage	<input checked="" type="checkbox"/>	Pass/Fail
<input type="checkbox"/>	Complete/Incomplete	<input type="checkbox"/>	Attendance Only		

<b>Passing Grade:</b>	Pass
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**Evaluation Activities and Weighting:**

Final Exam	%	Assignments	60%	Project	%	Capstone Project	%
Midterm Exam	%	Portfolio	%	Participation	40%	Other	%
Quizzes/Test	%	Simulations	%	Practicum	%	<b>TOTAL</b>	<b>100%</b>

**Comments on Evaluation Activities and Weighting:** Criterion-referenced evaluation.

**Other Course Guidelines, Procedures and Comments:**

*1 or 2-Day Course:* Learners must attend the full course to receive credit.

*3, 4 or 5-Day Course:* Learners who miss more than 7 hours of classroom time must repeat the entire course at their own expense. Learners who miss less than 7 hours of classroom time will receive a status of "no credit granted" for the course on their learner record. This status can be updated to "credit granted" by attending Use It or Lose It Clinic.

*All Courses:* If the course involved a coached skills-practice simulation, the learner must complete the simulation, or they will receive a status of "no credit granted" for the course on their student record. This status can be upgraded to "credit granted" by attending a Use It or Lose It Clinic.

*Course Outline Changes:* All changes to course outlines communicated to learners in class.

View official versions of related JIBC academic regulations and student policies in the *JIBC Calendar* on the following pages of the JIBC website:

**Academic Regulations:**

<http://www.jibc.ca/programs-courses/jibc-calendar/academic-regulations>

Student Academic Integrity Policy  
Academic Progression Policy  
Admissions Policy  
Academic Appeals Policy  
Evaluation Policy  
Grading Policy

**Student Policies:**

<http://www.jibc.ca/programs-courses/jibc-calendar/student-policies>

Access Policy  
Harassment Policy – Students  
Student Records Policy  
Student Code of Conduct Policy

**JIBC Core Competencies**

The JIBC promotes the development of core and specialized competencies in its programs. Graduates of our programs will demonstrate high levels of competence in the following areas:

**Critical thinking**

Identify and examine issues and ideas; analyze and evaluate options in a variety of fields with differing assumptions, contents and methods.

**Problem solving**

State problems clearly; effectively and efficiently evaluate alternative solutions; choose solutions that maximize positive and minimize negative outcomes.

**Communication, oral and written**

Demonstrate effective communication skills by selecting the appropriate style, language and form of communication suitable for different audiences and mediums.

**Interpersonal relations**

Know and manage oneself; recognize and acknowledge the needs and emotions of others including those with diverse backgrounds and capabilities.

**Leadership**

Inspire individuals and teams to reach their potential by embracing innovation through strategic thinking and shared responsibility.

**Inter-professional teamwork**

Understand and work productively within and between groups, respect others' perspectives and provide constructive feedback with special attention to inter-professional relationships.

**Independent learning**

Show initiative by acting independently in choosing effective, efficient and appropriate applied learning, research and problem solving strategies.

**Information literacy**

Recognize and analyze the extent and nature of an information need; efficiently locate and retrieve information; evaluate it and its sources critically, and use information effectively and ethically.