

Civil Litigation

Module Status: Mandatory Elective

Credit Rating: 6 Credit Level:

Pre-requisite Modules:	Co-requisite Modules:
Modules1-3	
Total Contact Hours:	
Lecture: 24 hours	Independent Study: 96 hours
Total Student Effort: 120 hours	

Module Aims

This module aims to:

- Introduce students to the different jurisdictions exercised by the District Court, the Circuit Court and the High Court respectively in civil matters.
- Explain both the manner in which civil litigation is initiated before the Irish Courts and the rules relating to the service of pleadings.
- Discuss the procedures and practices before the Personal Injuries Assessment Board.
- Outline the most pertinent interlocutory procedures applying in civil litigation.
- Promote students' understanding of good case management in civil matters.
- Explain the increasing significance of 'case management' software and develop students' skills in operating this important tool.

Module Learning Outcomes

On successful completion of this module, students should be able to:

- Demonstrate a clear understanding of the fundamental principles and substantive rules of all branches of civil law dealt with on the syllabus.
- Express opinions on legal issues with concision and clarity.
- Present and communicate legal arguments with clarity in private or public.
- Understand and operate computer operating systems, spreadsheet, database, and word processing packages and access legal databases in the context of different legal subject areas.
- Demonstrate some of the more practical skills required of the modern legal executive.

Indicative Module Content

TOPIC	DISCUSSION
Initiating a Civil Action	Different pleadings required for each court, service.
Procedural Matters	The Jurisdictional distinction between District, Circuit & High Court Civil Actions; the functions served by the Master's Court, the High Court Central Office & the County Registrar; the Statute of Limitations and other relevant time considerations, The Commercial Court, the Small Claims Court.
Interlocutory Applications	Discovery; notice for particulars; interrogatories; lodgements; joining a co-defendant; joining a third party; judgement in default of pleadings; drafting motions, affidavit etc.
The operation of the Personal Injuries Assessment Board	Background to the introduction of PIAB; jurisdiction of PIAB; Procedure – initial instructions and actions, multiple respondents, assessment of claim by PIAB; documents to support a claim to PIAB.
Case Management	'Best practice' case management; case management software.

Teaching / Learning Methodology

This module will be delivered through a series of lectures, tutorial-style discussions, group work sessions and exercises, and supplemented by structured web-based resources and reading.

Assessment

Students will be assessed on the basis of a practical piece of coursework (100%). This substantial piece of work will determine students' knowledge of the civil litigation system in addition to assessing their ability to successfully conduct a case through the civil courts.

Required Reading

Griffith College Manual, *Civil Litigation, Procedure and Case Management* (Dublin: Clarus Press, updated annually)

Secondary Reading

Bunreacht na hEireann www.taoiseach.gov.ie

Byrne, Raymond and JP McCutcheon (1999) *The Irish Legal System*, Butterworths

Collins, Anthony and James O'Reilly, (1990) *Civil Proceedings and the State*, Roundhall

Delany, Hilary and Declan Mcgrath (2001) *Civil Procedure in the Superior Courts*,
Roundhall

The Rules of the Superior Courts, 1986-1999

The Circuit Court Rules, 1950-1997

The District Court Rules, 1997