

<b>Module Title</b> <b>Litigation</b>	Reference BSM645 SCQF SCQF Level 11 SCQF Points 20 ECTS Points 10 Created April 2010 Approved March 2013 Amended January 2012 Version No. 2
<b>Keywords</b> Law, litigation, advocacy, civil court, criminal court, procedure	

## This Version is No Longer Current

The latest version of this module is available [here](#)

### Prerequisites for Module

None.

### Corequisite Modules

BSM558 Conveyancing  
BSM644 Business Finance and Practice  
BSM559 Private Client  
BSM650 Advanced Conveyancing (elective)  
BSM648 Advanced Litigation (elective)  
BSM646 Oil and Gas Practice (elective)  
BSM647 Employment Practice (elective)  
BSM649 Negotiation Mediation and Arbitration (elective)  
BSM562 Company and Commercial (elective)

### Indicative Module Content

civil court procedure, written pleadings, civil advocacy, funding, taxation, negotiation and settlement, criminal procedure, criminal advocacy, preliminary matters, preparation for trial, ethical and professional considerations, appeals and solemn procedure, legal aid,

### Indicative Student Workload

	Full Time	Part Time
<i>Contact Hours</i>		
Assessment	12	12
Seminars/Tutorials	80	80
<i>Directed Study</i>		
Directed Study	60	60
<i>Private Study</i>		
Private Study	48	48

Commercial (elective)  
BSM563 Public  
Administration (elective)

### Precluded Modules

None.

### Aims of Module

To develop skills in relation to the conduct, funding and resolution of civil litigation and to develop skills in relation to interview, negotiation, drafting and advocacy

### Learning Outcomes for Module

On completion of this module, students are expected to be able to:

1. Understand and discuss ethical and funding issues in civil court actions, jurisdiction and the types of civil action in the Sheriff Court and the Court of Session, procedural sequence of an ordinary action (Sheriff Court and Court of Session), appeal procedures, methods of settlement including negotiation, expenses and taxation and the operation of the Offices of Court

### Mode of Delivery

Small group seminars/tutorials, drafting exercises, portfolio building, role play and simulations

### Assessment Plan

	Learning Outcomes Assessed
Component 1	1,3
Component 2	2,4
Component 3	1,2,3,4

Written courseworks worth 45% of the weighting (C1)

Class participation worth 10% of the weighting (C3)

Role plays worth 45% of the total weighting (C2)

### Indicative Bibliography

1. *Greens sheriff court and sheriff appeal court rules 2016-17*. Edinburgh: W. Green.
2. HENNESSY C., 2014. *Civil procedure and practice*. 4th ed. London: Thomson Reuters.

### Additional Notes

In addition to the texts in the

2. Conduct a client interview, take instructions, advise client in relation to a range of civil litigation for example Personal Injury, Contracts and Family Law; take a precognition, draft competent, relevant and specific writ and defences and conduct a negotiation.
3. Understand and explain the jurisdiction of the Sheriff Court and High Court in relation to criminal prosecutions, the procedural sequence in summary and solemn cases in the sheriff court, appeal procedures, the ethical and professional rules relating to criminal cases, legal aid and the operation of professional rules and ethics in criminal cases.
4. Conduct an incidental motion, an intermediate diet, a trial and a plea in mitigation all in relation to a summary case.

indicative bibliography, the student will be required to purchase the course materials.