

Southeast Missouri State University
Course Number: CJ535
Title of Course: Civil Law and Liability
New Course
Department of Criminal Justice

- I. Catalog Description and Credit Hours: CIVIL LAW AND LIABILITY (3). Study of the civil justice system, theories of civil liability and methods for managing civil liability in the law enforcement and corrections context.
- II. Prerequisites: An undergraduate degree from a recognized program. An undergraduate student may take this course if they have completed at least 90 hours, have successfully completed CJ 100, CJ 220,, either CJ 422 or CJ 355, and either CJ 310 or CJ 230, and have received written permission from the instructor.
- III. Course Objectives: The course objectives are to develop an understanding of the civil justice system and theories of civil liability applicable in the criminal justice context. Specifically, students will be exposed to various theories of common law and constitutional liability under both state and federal law. They will also develop a working knowledge of the civil justice system and consider methods for managing civil liability risk.
- IV. Expectations of Students: Students will be expected to demonstrate an acquired knowledge of the civil justice system, an understanding of a variety of theories of civil liability and an ability to analyze and manage liability risks in the criminal justice context. Students will also have to complete a significant legal research and writing project, produce a written policy relevant to an issue of civil liability risk management and complete an oral examination at or near the end of the course.
- V. Course Content and Outline:
 - A. Civil Justice System (6 total hours)
 1. Courts (2 hours)
 2. Civil Procedure (2 hours)
 3. Civil Law Suits (2 hours)
 - B. Basic Legal Research Methods (4 total hours)
 1. Statutory (1 hour)
 2. Case Law (1 hour)
 3. Computerized legal research (2 hours)
 - C. Civil Liability- Common Law (13 total hours)
 1. Common Law (3 hours)
 2. Theories (3 hours)
 3. Immunities (3 hours)
 4. Defenses (3 hours)

5. Forms of Relief (1 hour)
- D. Civil Liability- Constitutional (13 total hours)
1. Constitutions (3 hours)
 2. Theories (3 hours)
 3. Immunities (3 hours)
 4. Defenses (3 hours)
 5. Forms of Relief (1 hour)
- E. Managing Liability Risks (9 total hours)
1. Assessing Risk (3 hours)
 2. Developing Policies (3 hours)
 3. Utilizing Training (3 hours)

Total: 45 Hours

- VI. Textbook and/or Other Required Materials: No final decision on textbook has been made. Students will examine a significant number of court decisions from a variety of jurisdictions as well as published articles pertaining to the civil justice system and civil liability.
- VII. Basis For Student Evaluation: Students will be evaluated on the basis of performance in the following areas:
- A. Research paper addressing current issues of law enforcement or corrections liability (60%) - Note: Graduate students will be required to complete a lengthier paper and will be subjected to more stringent performance standards regarding the paper.
 - B. Written policy addressing some aspect of law enforcement or corrections operations designed to minimize the risk of civil liability (20%)
 - C. An oral examination at or near the end of the course concerning the student's overall understanding of the course material (20%)