

Tribal Advocate/Paralegal Course Descriptions

LEG 201 Introduction to Legal Studies and Ethics (3)

Prerequisite: ENGL 120 College Composition II or the consent of instructor; Jenzabar training.

This course is an introduction to the legal profession with emphasis on tribal government and tribal legal systems. It includes an overview of tribal and federal law, such as Indian Child Welfare Act and Indian Civil Rights Act, as well as Native dispute resolution methods. This course will also exam the ethical responsibility of attorneys, legal assistants/paralegals, and tribal advocates in the court systems.

LEG 202 Criminal Law and Procedure (3)

Prerequisites: None

This course will address issues of criminal law in Indian Country and compare it to Anglo-American law. Students will be introduced to federal policy, i.e. Major Crimes Act, Public Law 280, double jeopardy, and will develop an understanding of criminal jurisdiction in Indian Country. This course will also exam criminal law concepts and various types of crimes. Students will learn about procedure, including but not limited to the rights of crime victims, the law of arrest, interrogation, confessions and constitutional rights as they pertain to a criminal defendant, sanctions, and sentencing. Students will learn about Native dispute resolution methods. Students will do research and write a variety of legal documents.

AND/OR

Prerequisite: CJ 120

CJ 230: A critical examination of the development and function of western criminal law; analyzes current definitions of criminal acts and omissions, defenses and justifications in the social and legal society of the United States; illustrates the development of legal interpretations of criminal statutes through the use of current and historical U.S. Supreme Court and state court decisions.

LEG 209 Legal Writing (3)

Prerequisites: LEG 201 Introduction to Legal Studies and Ethics

This course will increase skills in process writing, writing fundamentals, and proofreading. Students will also develop skills in writing legal correspondence as well as analytical writing, i.e. briefing cases, legal memoranda, persuasive writing, drafting pleadings, motions, legal briefs, and drafting discovery documents.

LEG 206 Constitutional Law (3)

Prerequisite: None

This course provides an examination of the Indian Reorganization Act (IRA) and tribal constitutions. This course is also a comprehensive study of the U.S. Constitution and how it relates to the separation of powers, federal, state, and tribal courts, business regulation and the 1st, 5th, and 14th amendments concerning freedom of religion and assembly, civil rights (ICRA), discrimination and voting rights. Students will research tribal and federal case law and write a variety of legal documents.

LEG 207 Family Law (3)

Prerequisite: None

This course is designed as an introduction to family law. Topic areas include but are not limited to cohabitation, marriage, prenuptial agreements, paternity, adoptions, divorce, separation, spousal support and property distribution, child custody and support, tax issues of divorce, domestic violence. Students will also learn about Native dispute resolution methods. Turtle Mountain Tribal codes and procedures will be reviewed. Students will research case law and write a variety of legal documents.

LEG 204 Civil Procedures (3)

Prerequisite: LEG 201 Introduction to Legal Studies and Ethics

Students will learn civil procedure in tribal, state, and federal courts. Emphasis will be on the litigation process, including investigating and gathering information, and drafting pleadings and motions. Evidence procedures will be introduced. Students will also learn about Native dispute resolution methods. Students will research case law and write a variety of legal documents.

LEG 210 Tribal Advocate (4)

Prerequisite: LEG 209 Legal Writing; LEG 204 Civil Procedures

This course offers an introduction to trial advocacy, including interviewing, investigation, fact/law analysis, and case strategy, opening statements, direct examination, cross examination, evidence, and objections. Storytelling will be used as a learning tool. This course will also address the ethical responsibilities of tribal advocates/paralegals. Students will practice skills by participating in a mock trial.

LEG 208 Property Law (3)

Prerequisite: None

This course is the study of the areas of real estate in Indian Country as well as off the reservation. Concepts include property and ownership, easements, licenses, title searches, estates, real estates sales, Indian trust land, land use regulations and financing. Students will learn about Native dispute resolution methods. Students will research and write a variety of legal documents.

LEG 230 Contracts and Torts (3)

Prerequisites: None

This course will be a comprehensive study of intentional torts, business torts, negligence, product liability, and defamation in addition to the affirmative defenses. This course will exam contract formation, defenses to contract formation, and the Uniform Commercial Code as well as Tribal codes that deal with contract formation. Students will learn how to write a contract.

LEG 211 Legal Research (3)

Prerequisites: LEG 201 Introduction to Legal Studies and Ethics

This course will familiarize students with research terminology. Students will receive Westlaw training. They will develop skills in researching state, federal and tribal statutes, legislative history, case law and other legal sources and periodicals. Students will also learn primary/secondary authority as well as mandatory/persuasive authority. Through research, students will write a variety of legal documents.

LEG 241/POL 241 Federal Indian Law (3)

Prerequisite: None

This course will discuss the legal relationship between tribes and the United States Government, tribal sovereignty, treaty making, the IRA and the ICRA as well as other Indian policies. Contemporary issues such as gaming will also be examined.

LEG 231 Tribal Advocate/Paralegal Internship (3)

Prerequisite: LEG 210 Tribal Advocate

This course will provide practical, hands on experience in an approved setting. Through the internship, students will have the opportunity to apply the theories, skills, and techniques that have been studied in the tribal advocate/paralegal program. Beginning the summer of 2009, students will be required to do a minimum of 120 hours.