# Foundations in Law Course No. 44305 Credit: 1.0

|  |  |  |  |
| --- | --- | --- | --- |
| **Student name:**  |  | **Graduation Date:** |  |

Pathways and CIP Codes: **Corrections, Security, Law, & Law Enforcement Services (43.0199) – Pre-Law Strand**; Public Administration (44.0401)

Course Description: An **application level** course designed to provide students with the knowledge and skills necessary to understand and apply the constitutional foundations for U.S. laws and how laws are created, enforced, interpreted, and changed. The course instructs students to identify, analyze, and explain relevant research sources as well as apply foundational legal principles of tort law, family law, and estate law. Students will explore career development in the legal field, including the legal workplace and the ethical rules that govern the legal profession.

Directions:The following competencies are required for full approval of this course. Check the appropriate number to indicate the level of competency reached for learner evaluation.

**RATING SCALE:**

4. Exemplary Achievement: Student possesses outstanding knowledge, skills or professional attitude.

3. Proficient Achievement:Student demonstrates good knowledge, skills or professional attitude. Requires limited supervision.

2. Limited Achievement:Student demonstrates fragmented knowledge, skills or professional attitude. Requires close supervision.

1. Inadequate Achievement:Student lacks knowledge, skills or professional attitude.

0. No Instruction/Training:Student has not received instruction or training in this area.

## Benchmark 1: Understand, Describe, and Apply the Constitutional Foundations for U.S. Laws

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 1.1 | Describe the three primary sources for our laws. |  |
| 1.2 | Explain the role, importance, pros and cons of precedent and stare decisis for case law, and when courts decline to follow precedent. |  |
| 1.3 | Explain the role that the U.S. Constitution plays in limiting the powers of the executive, legislative, and judicial branches. |  |
| 1.4 | Explain why the U.S. Constitution does not regulate the conduct of individuals. |  |
| 1.5 | Explain the two ways that the 14th Amendment expanded the reach of the U.S. Constitution. |  |
| 1.6 | Describe the process for amending the U.S. Constitution. |  |
| 1.7 | Identify the provisions of the U.S. Constitution that create the three branches of the federal government. |  |
| 1.8 | Describe the process in the U.S. Constitution for creating and amending U.S. statutes and explain how that process has changed with recent changes made by Congress. |  |
| 1.9 | Describe how federal agencies use regulations to execute U.S. statutes and the limits imposed by the U.S. Constitution on the power of those agencies. |  |
| 1.10 | Describe the process in the U.S. Constitution for nominating and confirming justices to the federal courts and explain how that process has changed with recent changes made by Congress. |  |
| 1.11 | Compare and contrast the roles of the three branches of the U.S. government and explain the limits on the power of those branches. |  |
| 1.12 | Apply the case method to analyze court opinions, compose case briefs that synthesize the facts and legal principles from those opinions, and effectively communicate that analysis both in and out of the legal community. |  |
| 1.13 | For the elements of law learned under this benchmark, apply those elements to specific fact patterns, differentiating between relevant and irrelevant facts, using appropriate legal terminology, and building well-reasoned legal arguments. |  |

## Benchmark 2: Identify, Analyze, and Explain Relevant Research Sources

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 2.1 | Locate and assess relevant research sources, including primary sources, using information technology tools. |  |
| 2.2 | Differentiate between credible and unreliable sources for information about legal issues. |  |
| 2.3 | Locate and analyze current developments in the law, including recent decisions from the U.S. Supreme Court and the Kansas Supreme Court. |  |
| 2.4 | Differentiate between relevant and irrelevant facts, and between credible and unreliable sources for information about legal issues. |  |
| 2.5 | Demonstrate appropriate legal citations for the research sources.  |  |
| 2.6 | Apply the case method to analyze research sources, compose case briefs that synthesize the facts and legal principles from those sources, and effectively communicate that analysis both in and out of the legal community. |  |

## Benchmark 3: Demonstrate a Foundational Understanding of Tort Law

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 3.1 | Differentiate and distinguish tort duties from duties imposed by: moral obligations, contract obligations, and criminal laws. |  |
| 3.2 | Differentiate between intentional torts, negligence, and strict liability. |  |
| 3.3 | Identify the elements of negligence (e.g. duty, breach, causation and damages) and apply those elements to specific fact patterns.  |  |
| 3.4 | Identify the elements of various intentional torts (e.g. assault, battery, trespass, and defamation) and apply those elements to specific fact patterns. |  |
| 3.5 | Identify the elements of products’ liability (“strict liability”) and apply those elements to specific fact patterns.  |  |
| 3.6 | Identify defenses to tort claims and apply those defenses to specific fact patterns. |  |
| 3.7 | Identify recoverable damages for tort claims and apply those damages to specific fact patterns. |  |
| 3.8 | Apply the case method to analyze tort cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community. |  |

## Benchmark 4: Demonstrate a Foundational Understanding of Family Law

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 4.1 | Identify the major areas of family law. |  |
| 4.2 | Describe the requirements and legal impact of marriage and cohabitation.  |  |
| 4.3 | Describe the requirements and legal impact of pre-marital and post-marital agreements.  |  |
| 4.4 | Describe the legal consequences of domestic violence. |  |
| 4.5 | Describe the requirements and legal impact of divorce, annulment, and legal separation.  |  |
| 4.6 | Describe the requirements and legal impact of child custody and child support.  |  |
| 4.7 | Describe the legal impact of child abuse and child neglect. |  |
| 4.8 | Apply the case method to analyze family law cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community. |  |

## Benchmark 5: Demonstrate a Foundational Understanding of Wills, Trusts, and Estates

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 5.1 | Identify the major areas of Estate Law. |  |
| 5.2 | Describe the processes and property distribution for intestate succession. |  |
| 5.3 | Describe the requirements for a valid will, and the process and principles used to interpret wills. |  |
| 5.4 | Describe the requirements for a valid trust, and the process and principles used to interpret wills. |  |
| 5.5 | Describe the process for administering estates.  |  |
| 5.6 | Apply the case method to analyze family law cases, compose case briefs that synthesize the facts and legal principles from those cases, and effectively communicate that analysis both in and out of the legal community. |  |

## Benchmark 6: Research and Explain Career Development for Legal Assistants and Attorneys

### Competencies

| **#** | **DESCRIPTION** | **RATING** |
| --- | --- | --- |
| 6.1 | Describe the admission requirements and selection process for law school. |  |
| 6.2 | Describe the American Bar Association process for accrediting law schools. |  |
| 6.3 | Describe the job placement process used by law schools. |  |
| 6.4 | Explain the difference between academic and informal on-the-job training for legal assistants.  |  |
| 6.5 | Describe the American Bar Association process for accrediting academic training for legal assistants. |  |
| 6.6 | Describe the job placement process used by schools that offer academic training for legal assistants.  |  |
| 6.7 | Describe various job search strategies for attorneys and legal assistants. |  |
| 6.8 | Compare and contrast educational requirements for legal assistants and attorneys.  |  |
| 6.9 | Compare and contrast educational requirements and benefits for legal assistants and attorneys.  |  |
| 6.10 | Compare and contrast employment opportunities for legal assistants and attorneys.  |  |
| 6.11 | Identify situations where legal assistants or attorneys may interact with tort law and explain how their foundational knowledge of tort law may benefit them. |  |
| 6.12 | Identify situations where legal assistants or attorneys may interact with family law and explain how their foundational knowledge of family law may benefit them. |  |

## Benchmark 7: Identify and Explain Aspects of the Legal Workplace

### Competencies

| **#** | **Description** | **RATING** |
| --- | --- | --- |
| 7.1 | Identify workplaces for legal assistants and attorneys, including government jobs, private law firms, and NGSOs. |  |
| 7.2 | Identify common fields of legal specialization.  |  |
| 7.3 | Identify common law office management issues, including client-billing arrangements, ownership structure, and employee-compensation structures. |  |
| 7.4 | Identify technology that is commonly used in the legal workplace. |  |

## Benchmark 8: Identify and Explain Legal Ethics and Regulation of the Legal Profession

### Competencies

| **#** | **Description** | **RATING** |
| --- | --- | --- |
| 8.1 | Explain the licensing and certification process for attorneys and legal assistants. |  |
| 8.2 | Identify the major ethical issues for legal assistants and attorneys, including confidentiality, conflict of interest, and unauthorized practice of law. |  |
| 8.3 | Explain the process for disciplining attorneys, including the entities involved and the potential disciplinary actions. |  |
| 8.4 | Explain the role of professional organizations in regulating and improving the legal profession.  |  |

## Benchmark 9: Apply Foundational Knowledge to Real World Scanarios

### Competencies

| **#** | **Description** | **Rating** |
| --- | --- | --- |
| 9.1 | Identify situations where citizens may interact with tort law and explain how a foundational knowledge of tort law may benefit them. |  |
| 9.2 | Identify situations where citizens may interact with family law and explain how a foundational knowledge of family law may benefit them. |  |
| 9.3 | Identify situations where citizens may interact with wills, trusts, or estates, and explain how a foundational knowledge of wills, trusts, or estates may benefit them. |  |

I certify that the student has received training in the areas indicated.

Instructor Signature:

For more information, contact:

CTE Pathways Help Desk

(785) 296-4908

pathwayshelpdesk@ksde.org



900 S.W. Jackson Street, Suite 102

Topeka, Kansas 66612-1212

[https://www.ksde.org](https://www.ksde.org/)

The Kansas State Department of Education does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs and activities and provides equal access to any group officially affiliated with the Boy Scouts of America and other designated youth groups. The following person has been designated to handle inquiries regarding the nondiscrimination policies: KSDE General Counsel, Office of General Counsel, KSDE, Landon State Office Building, 900 S.W. Jackson, Suite 102, Topeka, KS 66612, (785) 296-3201.