

PL202

Civil Litigation

[Onsite]

Course Description:

This course introduces the structure and operation of civil courts as well as the paralegal's role in gathering and organizing factual information with emphasis on the discovery process and document drafting.

Prerequisite(s) and/or Corequisite(s):

Prerequisite: PL103 Technology in the Law Office

Credit hours: 4

Contact hours: 40 (40 Theory Hours)

Syllabus: Civil Litigation

Instructor:	_____
Office hours:	_____
Class hours:	_____

Course Description

This course introduces the structure and operation of civil courts as well as the paralegal's role in gathering and organizing factual information with emphasis on the discovery process and document drafting.

Major Instructional Areas

1. Paralegal's role in civil litigation
2. Litigation preparation including investigations and pre-trial planning
3. Obtaining, organizing and presenting physical evidence
4. Procedures and methods of formal discovery
5. Trials

Course Objectives

1. Explain the components of a civil litigation legal team and the duties performed by each member of the team.
2. Apply issues related to the security of digital data when using computers and the Internet in the practice of law.
3. Evaluate the steps necessary to prepare for an interview with a client or fact witness.
4. Summarize the steps to take in establishing facts related to a specific civil case.
5. Illustrate how a civil case management system is used in case management and organization.

6. Articulate the resources available for conducting factual and legal research on the Internet.
7. Explain the different types of evidence and identify exceptions to the exclusion of evidence as being hearsay.
8. Compile responsive pleadings based on an investigation of the facts of a case.
9. Formulate discovery responses.
10. Summarize the role of a paralegal in pre-trial preparation and at trial.

SCANS Objectives

SCANS is an acronym for Secretary's Commission on Achieving Necessary Skills. The committee, created by the National Secretary of Labor in the early 1990s, created a list of skills and competencies that the committee feels are necessary for employees to function in a high-tech job market.

1. Locate, understand, and interpret written information in prose and in documents such as manuals, graphs, and schedules.
2. Communicate thoughts, ideas, information, and messages in writing.
3. Draft documents such as letters, directions, manuals, reports, graphs, and flow charts.
4. Specify goals and constraints, generate alternatives, consider risks, and evaluate and choose the best alternative.
5. Use efficient learning techniques to acquire and apply new knowledge and skills.
6. Choose ethical courses of action.
7. Acquire, evaluate, organize, and maintain information.
8. Interpret and communicate information.
9. Use computers to process information.
10. Discover a rule or principle underlying the relationships between two or more issues and apply it when solving a problem.

Course Outline

Note: All graded activities, except the project and the final exam, are listed below in the pattern of <Unit Number>.<Assignment Number>. For example, Quizzes: 2.1 refers to the first quiz in Unit 2.

Unit	Activities
1—Introduction to Civil Litigation	<ul style="list-style-type: none"> Content Covered: <p><i>Civil Litigation: Process and Procedures, 2nd ed.:</i></p> <ul style="list-style-type: none"> Chapter 1, “The Paralegal in Civil Litigation” Chapter 2, “Ethics and Professional Responsibility,” pp. 35-40 (Ethical Obligations, Confidentiality) Chapter 11, “Introduction to Discovery,” pp. 254-257 (Privilege, Claim of Privilege, Exceptions and Limitations to the Work Product Doctrine, Exception to the Third-Party Document Exception, Internal Investigations and Evidentiary Privileges)
2—Technology in Civil Litigation	<ul style="list-style-type: none"> Read from <i>Civil Litigation: Process and Procedures, 2nd ed.:</i> <ul style="list-style-type: none"> Chapter 3, “Litigation Management and Technology,” pp. 45-48 (Introduction to Litigation Management and Technology, Technology in Civil Litigation) Writing Assignments: 2.1 Quizzes: 2.1 Project: Developing a Paralegal Portfolio (Start)
3—Investigation and Planning the Litigation	<ul style="list-style-type: none"> Read from <i>Civil Litigation: Process and Procedures, 2nd ed.:</i> <ul style="list-style-type: none"> Chapter 7, “Interviews and Investigation in Civil Litigation” Chapter 3, “Litigation Management and Technology” pp. 48-69 (start with Organizing and Managing Case Files) Writing Assignments: 3.1 Quizzes: 3.1 Project: Submit Draft to Instructor for Review and Approval
4—Electronic Research	<ul style="list-style-type: none"> Read from ITT Tech Virtual Library:

Unit	Activities
	<ul style="list-style-type: none"> ○ “Searching Questions” from <i>Personal Computer World</i>, July 2006. <p>Access through the ITT Tech Virtual Library> Search> E-Journal Lookup> Personal Computer World> LexisNexis Academic, then search by title</p> <ul style="list-style-type: none"> • Exercises: 4.1 • Writing Assignments: 4.1
5–Evidence	<ul style="list-style-type: none"> • Read from <i>Civil Litigation: Process and Procedures</i>, 2nd ed.: <ul style="list-style-type: none"> ○ Chapter 6, “Evidence” • Writing Assignments: 5.1
6–Documents in Civil Litigation	<ul style="list-style-type: none"> • Read from <i>Civil Litigation: Process and Procedures</i>, 2nd ed.: <ul style="list-style-type: none"> ○ Chapter 10, “Pleadings: Responses to Complaint” • Writing Assignments: 6.1 • Quizzes: 6.1
7–Discovery and E-Discovery	<ul style="list-style-type: none"> • Read from <i>Civil Litigation: Process and Procedures</i>, 2nd ed.: <ul style="list-style-type: none"> ○ Chapter 11, “Introduction to Discovery,” pp. 251-253 and pp. 257-267 (start with Forms of Discovery on p. 257) ○ Chapter 12, “Issues in Electronic Discovery” • Writing Assignments: 7.1
8–Formal Discovery	<ul style="list-style-type: none"> • Read from <i>Civil Litigation: Process and Procedures</i>, 2nd ed.: <ul style="list-style-type: none"> ○ Chapter 13, “Interrogatories and Requests for Production” ○ Chapter 15, “Other Forms of Discovery” • Quizzes: 8.1
9–Preparing for Trial	<ul style="list-style-type: none"> • Read from <i>Civil Litigation: Process and Procedures</i>, 2nd ed.: <ul style="list-style-type: none"> ○ Chapter 16, “Trial Preparation–Postdiscovery to Pretrial” • Writing Assignments: 9.1

Unit	Activities
	<ul style="list-style-type: none">• Quizzes: 9.1
10–Trial of the Case	<ul style="list-style-type: none">• Read from <i>Civil Litigation: Process and Procedures, 2nd ed.</i>:<ul style="list-style-type: none">◦ Chapter 17, “Trial”◦ Chapter 18, “The Electronic Courtroom and Trial Presentation”• Writing Assignments: 10.1• Project: Submission
11–Review and Final Exam	<ul style="list-style-type: none">• Final Exam

Instructional Methods

Civil Litigation introduces you to aspects of the civil justice system in the United States. This course includes an overview of the major components of civil litigation from the initial client interview to trial.

The course facilitates your learning by using writing assignments, quizzes, a course project, and a final exam. The writing assignments will assess your grasp of the concepts covered during any particular unit; they will be based on real-life case studies that will require you to author your opinions. There are several quizzes in this course—these will help you recall previously taught concepts. The course culminates in an exam covering all of the objectives.

In the course project, you will develop a set of documents to use in your portfolio as you search for employment as a paralegal.

Instructional Materials and References

Student Textbook Package

Goldman, Thomas F., and Alice Hughes. *Civil Litigation: Process and Procedures. 2nd ed.* Upper Saddle River, NJ: Pearson Prentice Hall, 2012.

In addition to the student textbook package, the following are also required in this course:

- Resources for Assignments
 - Trial Binder
 - Responding to Written Interrogatories
 - Plaintiff's Response

These resources are downloadable from the ITT Tech Virtual Library. Click School of Study> School of Criminal Justice> Recommended Links> PL202 Civil Litigation.

References

ITT Tech Virtual Library

Log on to the ITT Tech Virtual Library at <http://library.itt-tech.edu/> to access online books, journals, and other reference resources selected to support ITT Tech curricula.

Books

You may click "Books" or use the Library Catalog on the home page to find the following books.

- Fins, Alice. *Opportunities in Paralegal Careers, Revised Edition*. New York: The McGraw Hill Companies, Inc., 2005. (Ebrary)
- McKinney, Anne. *Real-resumes for Legal & Paralegal Jobs*. Fayetteville, NC: Prep Publishing, 2004. (NetLibrary)

Periodicals

You may click "Periodicals" or use the E-Journal Lookup on the home page to find the following periodicals.

- LexisNexis Academic
- Law Journals

Reference Resources

You may click References> Law or use the E-Journal Lookup on the home page to find the following reference resource.

- FindLaw

Research Help

You may click on Research Help> Research Guides to find the following learning guide.

- Research papers, updated June, 2010

Other References

The following resources can be found **outside** of the ITT Tech Virtual Library, whether online or in hard copy.

Book

- Hecht, Henry L. *Effective Depositions. 2nd ed. Chicago: ABA Publishing, 2010.*

Periodical

- Weiss, Steven A. *e-Discovery: A Special Publication of the Section of Litigation (ABA), ABA Publishing, February 2007.*

Web sites

- Federal Rules of Civil Procedure (FRCP), Cornell University Law School
<http://www.law.cornell.edu/rules/frcp/> (accessed 10/12/10)
This page provides links to the complete Federal Rules of Civil Procedure (2009).
- MegaLaw.com
<http://www.megalaw.com/top/civpro.php> (accessed 10/12/10)
This page is a portal to the FRCP and all 50 states' rules regarding civil procedure.
- American Bar Association: Litigation
<http://www.abanet.org/litigation/home.html> (accessed 10/12/10)
This page provides links to the ABA resources on litigation.

- United States Code
<http://www.gpoaccess.gov/uscode/> (accessed 10/12/10)
This is the main page to search the general and permanent laws of the United States.
- Dictionary Law.com
<http://dictionary.law.com/> (accessed 10/12/10)
This online dictionary is a quick reference to a legal term or definition.
- Oyez Project
<http://www.oyez.org/> (accessed 10/12/10)

This multimedia archive devoted to the Supreme Court of the United States and its work aims to be a complete and authoritative source for all audio recorded in the Court since October 1955.

All links to Web references are always subject to change without prior notice.

Course Evaluation and Grading

Evaluation Criteria Table

The final grades will be based on the following categories:

CATEGORY	WEIGHT
Writing Assignments	25%
Exercises	5%
Quizzes	20%
Project	30%
Final Exam	20%
Total	100%

Note: Students are responsible for abiding by the Plagiarism Policy.

Grade Conversion Table

The final grades will be calculated from the percentages earned in the course, as follows:

A	90-100%	4.0
B+	85-89%	3.5
B	80-84%	3.0
C+	75-79%	2.5
C	70-74%	2.0
D+	65-69%	1.5
D	60-64%	1.0
F	<60%	0.0

(End of Syllabus)