

## **PLEGAL 205     Civil Procedure and Litigation**

### **Paralegal Studies Program, Fall 2017**

#### **Stacey Hunt, CLA, CAS**

Welcome to Civil Procedure and Litigation, offered as Course No. PLGL 205 for the paralegal studies program at Cuesta College for the Fall of 2017. Please carefully review the following information about the class regarding academic matters and class policies.

**COURSE DESCRIPTION:** This course introduces the principles and management of civil litigation in state and federal courts including pretrial, trial and post-trial practice and procedure. Procedures used in case settlement and in alternative dispute resolution such as mediation and arbitration will also be covered.

#### **STUDENT LEARNING OUTCOMES:**

After completing this course, students will be able to:

1. Explain the role and ethical responsibilities of the paralegal on the litigation team and describe the different stages of civil litigation, including the pretrial stage, the trial stage and the post-trial stage.
2. Relate the basic differences between state and federal civil litigation procedures as well as the differences between local, state and federal forms.
3. Properly prepare pleadings, forms, motions and other litigation documents as well as other relevant materials utilized as the pretrial, trial and post-trial stages.
4. Engage in assisting in information and evidence gathering, client and witness interviewing along with discovery and manage case files generated through these activities.
5. Demonstrate knowledge of the appropriate legal application software by utilizing the software in the preparation and management of forms and documents relevant to civil litigation.
6. Describe the considerations and procedures involved in case settlement and alternative dispute resolution and assist in preparing for case settlement and alternative dispute resolution.
7. Assist at the trial and the post trial stages including managing trial materials and preparing post-trial motions.

**COURSE MEETINGS:** This course is entirely web-based. New units will be introduced weekly on Monday and all work must be completed by Sunday, unless otherwise indicated. All lessons will be asynchronous.

**REQUIRED TEXT:** *Litigation by the Numbers* by Julie A. Goren, Esq., Eighth Edition, and the substantive companion book *California Civil Litigation and Discovery*.

**TECHNICAL REQUIREMENTS:** You should have a PC or Mac that is three years old or less with a current operating system and browser (i.e., Chrome, Internet Explorer). You should have access to an Internet connection that is fast enough to view online videos. You will need a word processing program to create documents and Adobe Reader, which can be downloaded at no cost. I post my PowerPoints both in native format and as PDFs. You will need to know how to use Canvas, browse the Internet, and download and upload documents.

The link to get into Canvas is <https://cuesta.instructure.com> . Your login name will match your my.cuesta login name. Your password will match your my.cuesta password.

**ATTENDANCE:** Regular attendance is as important in web-based classes as it is in a traditional classroom. Critical thinking and ability to communicate are skills essential to the paralegal profession, and your class participation will provide you with an opportunity to further develop these skills, even online.

The weekly units follow a regular schedule for submission of work so that you will be able to schedule your time more easily and get assignments turned in on time. You will be expected to log into the course several times per week to contribute to online class discussions. Pace yourself each week and don't save up all the work until the last minute. As a paralegal, you will constantly have to prioritize and plan to get through your real-life workload, so this will be good preparation for you.

**HOMEWORK ASSIGNMENTS:** You will be assigned approximately 9-10 hours per work each week for this 4-unit class. You will be reading from the assigned texts, drafting and submitting documents, researching online, and discussing your ideas on the discussion boards. You are responsible for turning assignments in on time. Assignments turned in late will lose one letter grade for each week they are late.

The law is a dynamic field with lots of gray areas and often there are no clear answers. An issue which at first may seem very straightforward to you can sometimes become very different following classroom discussion and the expression of varying points of view. The more interaction you have with me and with your classmates via the online forums, the more understanding you will have on all of the little nuances of our judicial system. It will take some work to recreate online the open discussion that occurs naturally in face-to-face classes. Your effort in participating will reap great benefits down the road.

**EXAMINATIONS:** There will be one mid-term and one final examination.

**DISTANCE LEARNING:** Distance learning is not for everyone. To be certain that you can achieve success in an online class, I recommend you take Cuesta's Online Class Readiness Quiz: <http://library.cuesta.edu/distance/survey.htm>.

**STUDENTS WITH SPECIAL NEEDS:** If you require disabled students services we have excellent facilities at Cuesta. You will find information on the Disabled Students and Program Services at <http://academic.cuesta.edu/acasupp/dsps/>. In addition please let me know if I can assist you in anyway. I am happy to work closely with you and the DSPPS to make this as rich a learning experience as possible for all!

**WHEN YOU HAVE QUESTIONS:** If you have any questions or if something isn't clear to you, don't hesitate to contact me. As a student I hated when I felt I had wasted time on an assignment that had not been fully explained, and I most certainly don't want to put any of you through that. You are here to learn everything you can about how a paralegal works with attorneys in a civil lawsuit, and I am here to teach you that to the best of my ability. I have been a paralegal for 30 years. I won't say I've seen it all (because that is just no possible in the law!), but if you work hard, you should leave this class with a good grasp of what will be expected of you on the job.

Please feel free to e-mail me at [Anastasia\\_hunt@cuesta.edu](mailto:Anastasia_hunt@cuesta.edu) or [paralegalsh@gmail.com](mailto:paralegalsh@gmail.com) or telephone or text me at 805.748.4593 if you have any questions about this class or the assignments. I am here for you so don't hesitate to reach out.

## **GRADING:**

Course Grade. Your grade will consist of a combination of factors weighted as follows:

Written Assignments:	120 points possible (6 assignments, 20 points each)
Discussion Posts:	100 points possible (10 posts, 10 points each)
Mid-Term	90 points possible
Final Examination:	90 points possible
Total:	400 points

The grading scale is as follows:

90 - 100%	=	A
80 - 89%	=	B
70 - 79%	=	C
60 - 69%	=	D
Below 60%	=	F

### Tentative Reading and Assignment Schedule

Week	Reading	Discussion	Homework
1. August 21	None	DP #1 due 8/23	None
2. August 28	Chapters 3 and 4	DP #2 due 9/1	None
3. September 4	Chapter 5	DP #3 due 9/7 Response due 9/10	Homework #1 due 9/10
4. September 11	Chapters 6 and 7	DP #4 due 9/14	None
5. September 18	Chapters 8 and 9	None	Homework #2 due 9/24
6. September 25	Chapter 11	None	Homework #3, part 1 due 10/1
7. October 2	Chapter 12	DP #5, part 1 due 10/8	None
8. October 9	Chapter 13	DP #5, part 2 due 10/15	Homework #4 due 10/22 Prepare for mid-term
9. October 16 <b>Mid term</b>	Read Chapter 14	None	Homework #5 due 10/29
10. October 23	Read Chapters 15 and 16	DP #6 due 10/26 Response due 10/29	None
11. October 30	Read Chapter 17	DP #7 due 11/2 Response due 11/5	Homework #3, part 2 due 11/5
12. November 6	Read Chapter 18		Homework #6 due 11/12
13. November 13	Read Chapter 19	DP #8 due 11/16 Response due 11/19	None
14. November 20	Thanksgiving holiday		
15. November 27	Read Chapter 20	DP #9 due 11/30 Response due 12/3	
16. December 4	Chapter 21	None.	None.
17. December 11	Watch calendaring video	DP #10 due 12/14 Response due 12/17	Prepare for final
18. December 18	<b>Final exam</b>		