



WACO, TEXAS

**COURSE SYLLABUS
AND
INSTRUCTOR PLAN**

CIVIL LITIGATION

LGLA - 1345 – O080

KRISTY TURNER

NOTE: This is a 16-week course.

NOTE: This is an Online course.

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Course Description:

Presents fundamental concepts and procedures of civil litigation including pretrial, trial, and post-trial phases of litigation and emphasizes the paralegal's role in civil litigation.

Prerequisites and/or Corequisites:

Passing score on the TSI Assessment or concurrent enrollment in INRW 0402.

Semester Hours 3 (3 lec)

Course Notes and Instructor Recommendations:

Word Processing experience is encouraged. This is a college-level course requiring one to three or more hours of study time outside of the classroom. The Tentative Schedule contains the reading and work assignments for the semester with stated due dates.

Instructor Information:

Instructor Name: Kristy Turner

MCC E-mail: kturner@mclennan.edu

Phone Number: 254-299-8261

Office Location: Classroom – BTB 220

Office Hours: Mondays & Wednesdays 11:00 a.m. to 2:00 p.m.

Tuesdays 10:00 a.m. to 11:00 a.m. and Zoom 5:30 p.m. to 6:30 p.m.

Or by appointment for meetings outside of these times.

Communication Policy:

Emails are returned within 24 hours of receipt except when received over the weekend or during holidays. Those will be returned the first business day the College is open.

Required Text & Materials:

Litigation Paralegal: A Systems Approach

7th Edition

James W.H. McCord & Pamela R. Tepper

ISBN: 978-0-357-76733-7

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Ebook available through Cengage:

Cengage Unlimited:

- 4-month access / 9780357700006
- 12-month access / 9780357700013
- 24-month access / 9780357700020

MCC Bookstore Website: <http://www.mclennan.edu/bookstore/>

Methods of Teaching and Learning:

Lecture, discussion boards, projects, written reports/papers, exams and quizzes.

Course Objectives and/or Competencies:

The student will:

1. Know the purpose, form, and content; responses and objections; and techniques for accomplishing basic types of discovery.
2. Draft various discovery documents.
3. Attend a deposition through a videotape deposition.
4. Digest a deposition.
5. Develop a familiarity with the automated litigation support available.
6. Learn techniques for producing, digesting, and organizing documents and information for both small case files and large case files.
7. Learn techniques for document control.
8. Perform searches and digesting on computer systems.
9. Be familiar with settlement processes and forms.
10. Know legal assistant's role in assisting attorney during trial.
11. Learn skills to be effective in working with witnesses and organizing paperwork for trial.
12. Draft practical forms for use at trial.
13. Be able to organize a trial notebook.
14. Be familiar with procedures in enforcing judgments and appeals.

This schedule is subject to change and students will be notified about any changes by announcement in class.

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Course Attendance/Participation Guidelines:

If a student is not in attendance in accordance with the policies/guidelines of the class as outlined in the course syllabus as of the course census date, faculty are required to drop students from their class roster prior to certifying the respective class roster. A student's financial aid will be re-evaluated accordingly and the student will only receive funding for those courses attended as of the course census date.

To be counted as attending class BEFORE the census date, a student must complete and submit at least ONE assignment by the due date. An email to the instructor does NOT count as completing and submitting an assignment. Logging into Brightspace and accessing content does NOT count as completing and submitting an assignment. Any student who fails to complete and submit at least one assignment by the due date prior to the census date will be dropped from the course.

After the census date, students who fail to submit two consecutive modules of work without notification of an excused absence as per MCC policy prior to the 60% point of the term will be withdrawn from the course. If a student fails to submit two consecutive modules of work without notification of an excused absence as per MCC policy and the class is past the 60% point of the term, the instructor will NOT withdraw the student. The student will be assigned the grade earned at the end of the term.

Absences are excused in accordance with MCC policy which includes (1) authorized participation in official College functions, (2) personal illness, (3) an illness or a death in the immediate family, (4) Pregnant or Parenting Protections under Title IX and/or Texas State Education Code Chapter 51, Subchapter Z, Section 51.982 or (5) any excused absences as outlined in Section IV of this policy. <https://www.mclennan.edu/employees/policy-manual/docs/B-II.pdf>

Students are required to file a written or electronic request with each instructor for an excused absence in a timely manner.

Course Outline or Schedule:

This schedule is subject to change. Changes will be announced in the classroom.

Week 1 1-8	Orientation & Form Builder Training Begin reading Chapter 1 Describe the role of the paralegal in the law office Recognize the importance of law office procedures in the practice of law Explain the ethical obligations of the paralegal in the legal arena
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Week 2 1-15	<p>Ch. 1-Welcome to the Law Office: Foundations for Litigation</p> <p>Describe the role of the paralegal in the law office</p> <p>Recognize the importance of law office procedures in the practice of law</p> <p>Explain the ethical obligations of the paralegal in the legal arena</p> <p>Distinguish between the federal and state court systems</p> <p>Identify the different types of jurisdiction, and in which court cases should be filed</p> <p>Ch. 1 Questions for Review Due</p> <p>Ch. 1 Case Assignment Due</p> <p>Ch. 1 Ethics Assignment Due</p> <p>Ch. 1 Systems Folder Assignments Due</p>
Week 3 1-22	<p>Ch. 2-The Initial Interview</p> <p>Identify the importance of the initial client interview</p> <p>Develop a plan for preparing, conducting, and summarizing the interview</p> <p>Determine the types of questions to ask in an interview for the most effective results and summarize the results of the interview</p> <p>Recognize how to handle challenging clients in a professional manner and keep clients informed of developments in their case</p> <p>Define the term statute of limitations and identify its significance in the litigation process</p> <p>Ch. 2 Questions for Review Due</p> <p>Ch. 2 Case Assignment Due</p> <p>Ch. 2 Ethics Assignment Due</p> <p>Ch. 2 Systems Folder Assignments Due</p>
Week 4 1-29	<p>Ch. 3-Evidence and Investigation</p> <p>Conduct a sound investigation of a case</p> <p>Describe the general rules that apply to evidence in the courtroom</p> <p>Identify the different types of evidence and the ethical considerations related to their use</p> <p>Determine the sources of information that will assist in proving the elements of a client's case</p> <p>Explain how to gather evidence, such as reports and documents, and how to preserve that evidence in preparation for trial</p> <p>Ch. 3 Questions for Review Due</p> <p>Ch. 3 Case Assignment Due</p> <p>Ch. 3 Ethics Assignment Due</p> <p>Ch. 3 Systems Folder Assignments Due</p> <p>Draft Original Petition</p>

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Week 5 2-5	<p>Ch. 4-Drafting the Complaint Draft a Complaint and delineate its components, including the prayer for relief Differentiate between fact pleading and notice pleading Determine how to draft the allegations and causes of action paragraphs in the complaint and when to include exhibits Prepare a checklist for drafting the complaint Distinguish between the requirements for requesting a temporary restraining order and temporary injunction Ch. 4 Questions for Review Due Ch. 4 Case Assignment Due Ch. 4 Ethics Assignment Due Ch. 4 Systems Folder Assignments Due</p>
Week 6 2-12	<p>Ch. 5-Filing the Lawsuit, Service of Process, and Obtaining a Default Judgment Prepare the documents needed to file and serve a defendant in a lawsuit Determine the different requirements for service of process in the federal and state court systems Serve a defendant under a state's long arm statute Draft a default judgment for a state or federal case Identify the circumstances under which a default judgment may be set aside Ch. 5 Questions for Review Due Ch. 5 Case Assignment Due Ch. 5 Ethics Assignment Due Ch. 5 Systems Folder Assignments Due</p>
Week 7 2-19	<p>Ch. 6-Defending and Testing the Lawsuit: Motions, Answers, and Other Responsive Pleadings Identify the different types of motions to dismiss under Federal Rule 12(b) Determine the purpose of removing a state action to federal court Draft an answer, affirmative defenses, counterclaim, and cross-claim Distinguish between amending and supplementing pleadings Prepare various responsive motions, including motions for judgment on the pleadings and summary judgment Ch. 6 Questions for Review Due Ch. 6 Case Assignment Due Ch. 6 Ethics Assignment Due Ch. 6 Systems Folder Assignments Due Final Exam Draft of Original Petition DUE 2/25</p>

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Week 8 2-26	<p>Ch. 7-Discovery and Electronic Discovery: Overview and Interrogatories</p> <p>Delineate the purpose of discovery</p> <p>Identify the scope of discovery and its limitations</p> <p>Determine the requirements and obligations of electronic discovery</p> <p>Prepare a set of interrogatories</p> <p>Assist in answering interrogatories from an opposing party</p> <p>Ch. 7 Questions for Review Due</p> <p>Ch. 7 Case Assignment Due</p> <p>Ch. 7 Ethics Assignment Due</p> <p>Ch. 7 Systems Folder Assignments Due</p> <p>Draft Requests for Disclosure</p> <p>Draft Interrogatories</p>
Week 9 3-11	<p>Ch. 8-Discovery: Depositions</p> <p>Identify the different types of depositions</p> <p>Prepare and serve the notice of deposition</p> <p>Draft proposed deposition questions for the case</p> <p>Assist in preparing the client or witness for testifying at a deposition</p> <p>Develop and identify the best techniques for digesting depositions</p> <p>Ch. 8 Questions for Review Due</p> <p>Ch. 8 Case Assignment Due</p> <p>Ch. 8 Ethics Assignment Due</p> <p>Ch. 8 Systems Folder Assignments Due</p> <p>Draft Deposition Notice</p> <p>Draft Responses to Interrogatories</p> <p>Final Exam Draft of Deposition Notice DUE 3/17</p>
Week 10 3-18	<p>Ch. 9-Discovery: Document Production and Control, Medical Exams, Admissions, and Compelling Discovery</p> <p>Draft a request for production of documents, request for admissions, and request for medical examination</p> <p>Outline the procedures for preparing and responding to a request for production of documents and request for physical and mental examination</p> <p>Analyze and interpret the documents produced, including medical records and other technical documents for responsiveness, relevancy, and compliance</p> <p>Prepare a motion compelling discovery and identify the range of sanctions that could be ordered by a court</p> <p>Identify the best use for a Freedom of Information Act (FOIA) request</p> <p>Ch. 9 Questions for Review Due</p> <p>Ch. 9 Case Assignment Due</p> <p>Ch. 9 Ethics Assignment Due</p> <p>Ch. 9 Systems Folder Assignments Due</p>
Week 11 3-25	<p>Chapter 9--Discovery: Document Production and Control, Medical Exams, Admissions, and Compelling Discovery</p> <p>Draft Request for Production</p>

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Week 12 4-1	Draft Requests for Admissions Exchange and Draft Responses to Admissions Final Exam Draft of Interrogatories DUE 4/7
Week 13 4-8	Exchange and Draft Responses to Request for Production Chapter 10--Settlement and Other Alternative Dispute Resolutions Outline the paralegal's role in the settlement process Prepare a settlement precis or letter for your supervising attorney Assist your supervising attorney in preparing for a pretrial conference Draft settlement agreements and release documents Identify the different methods of alternative dispute resolution Ch. 10 Questions for Review Due Ch. 10 Case Assignment Due Ch. 10 Ethics Assignment Due Ch. 10 Systems Folder Assignments Due Final Exam Draft of Requests for Admission DUE 4/14
Week 14 4-15	Chapter 11-Trial Preparation and Trial Determine the preliminary tasks in preparation for trial Prepare witness subpoenas Identify different sources to locate information on prospective jurors Outline the necessary components of a trial notebook Explain the role of a paralegal during the trial process Ch. 11 Questions for Review Due Ch. 11 Case Assignment Due Ch. 11 Ethics Assignment Due Ch. 11 Systems Folder Assignments Due
Week 15 4-22	Chapter 12-Post-Trial Practice From Motions to Appeal Draft the different types of post-trial motions Assist in enforcing a judgment entered by a court Prepare a plan to locate a judgment debtor's assets Outline the steps to preparing a filing a foreign judgment Identify the component's of an appellate brief Ch. 12 Questions for Review Due Ch. 12 Case Assignment Due Ch. 12 Ethics Assignment Due Ch. 12 Systems Folder Assignments Due Notebooks due—Final Exam Project DUE 4/28 at 11:59 p.m!!! No extensions!!

Final Exam Project

This project is due **Sunday, April 28, 2024 by 11:59 p.m. No late work will be accepted!**

Drafts will be submitted on the following schedule:

Draft of Original Petition – February 25, 2024

Draft of Deposition Notice – March 17, 2024

Draft of Interrogatories – April 7, 2024

Draft of Request for Admission – April 14, 2024

This project will be submitted through Brightspace. I will NOT accept paper or email copies.

Do NOT wait until the last minute to email me your projects as technical difficulties do arise from time to time. Technical difficulties will NOT be used as an excuse for not getting the project in to me on time.

You will be given exact form numbers to draft documents in Form Builder for a hypothetical scenario provided through Brightspace.

This project is due **Sunday, April 28, 2024 by 11:59 p.m. NO LATE WORK WILL BE ACCEPTED!**

Course Grading Information:

The system of grading will be based on the following objective standards (no “curve” methods will be used):

A=90-100

B=80-89

C=70-79

D=60-69

F=Below 60

1. Tests

There will be chapter tests for each chapter covered. If you miss one of the tests, the final exam grade will be used as your grade on the missed test as well as your final exam grade. If you miss any additional tests, those test grades will be zero.

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If you take all chapter tests, your final grade can count not only as your final grade but also be substituted for your lowest test grade, if that is to your advantage. If you miss the comprehensive final, that grade will be zero. No makeup tests or finals are allowed.

3. Assignments

You will have chapter assignments and one major assignment for the semester. Assignment details will be distributed separately.

Notwithstanding anything to the contrary, because all assignments are considered necessary to your success in preparation for your career, it is within the instructor's discretion to require that all assignments be completed for you to receive a final grade in the course; if an assignment remains undone, the instructor may assign a final grade of "incomplete", which over time automatically changes to an "F" if the assignment remains uncompleted.

Grades will be determined as follows:

Tests	30%
Final Exam Project	40%
Participation and assignments	30%
Final Grade for Course	100%

A grade of C or better in all required LGLA courses is a prerequisite to graduation with a Legal Assistant degree.

All assignments must be completed on time. **No late work will be accepted! DO NOT ASK!**

Penalties for Academic Integrity Violations

Cheating will not be tolerated. Any student found to be cheating will be subject to grade reduction,

re-doing of assignments, and/or dismissal from the course with a grade of "F". Examples of cheating include but are not limited to:

- copying the work of another
- seeking excused absences/tardies under false pretenses
- plagiarism (claiming as your own the work of another)

All assignments must be completed on time. **No late work will be accepted! DO NOT ASK!**

Late Work and Make Up Work Policies:

WORK NOT COMPLETED ON TIME WILL NOT BE ACCEPTED.

See Course Grading Information for more details.

Student Behavioral Expectations or Conduct Policy:

In general, students are expected to maintain classroom decorum that includes respect for other students and the instructor, prompt and regular attendance, and an attitude that seeks to take full advantage of the education opportunity.

Students should demonstrate courtesy and respect to all instructors, guests, and fellow learners. While honest discussion and debate of topics is expected and encouraged, such interactions should not involve aggressive, derogatory, or hostile behaviors (verbal or otherwise). The instructor reserves the right to act to protect the decorum of the learning environment and the image of MCC.

[Click Here for the MCC Attendance/Absences Policy](https://www.mclennan.edu/highlander-guide/policies.html)

(<https://www.mclennan.edu/highlander-guide/policies.html>)

Click on the link above for the college policies on attendance and absences. Your instructor may have additional guidelines specific to this course.

10/09/2023



ACADEMIC RESOURCES/POLICIES

Accommodations/ADA Statement:

Any student who is a qualified individual with a disability may request reasonable accommodations to assist with providing equal access to educational opportunities. Students should contact the Accommodations Coordinator as soon as possible to provide documentation and make necessary arrangements. Once that process is completed, appropriate verification will be provided to the student and instructor. Please note that instructors are not required to provide classroom accommodations to students until appropriate verification has been provided by the Accommodations Coordinator. For additional information, please visit www.mclennan.edu/disability

Students with questions or who require assistance with disabilities involving physical, classroom, or testing accommodations should contact:

disabilities@mclennan.edu (254)299-8122
Room 319, Student Services Center

Title IX:

We care about your safety, and value an environment where students and instructors can successfully teach and learn together. If you or someone you know experiences unwelcomed behavior, we are here to help. Individuals who would like to report an incident of sexual misconduct are encouraged to immediately contact the Title IX Coordinator at titleix@mclennan.edu or by calling, Dr. Claudette Jackson, (Accommodations/Title IX) at (254) 299-8465. MCC employees are mandatory reporters and must report incidents immediately to the Title IX Coordinator. Individuals may also contact the MCC Police Department at (254) 299-8911 or the MCC Student Counseling Center at (254) 299-8210. The MCC Student Counseling Center is a confidential resource for students. Any student may report sexual harassment anonymously by visiting <http://www.lighthouse-services.com/mclennan/>

Additionally, Title IX provides rights and protections for pregnant and newly parenting students. Go to McLennan's Title IX webpage at www.mclennan.edu/titleix/. It contains more information about definitions, reporting, confidentiality, resources, and what to do if you or someone you know is a victim of sexual misconduct, gender-based violence or the crimes of rape, acquaintance rape, sexual assault, sexual harassment, stalking, dating violence, or domestic violence.

Student Support/Resources:

MCC provides a variety of services to support student success in the classroom and in your academic pursuits to include counseling, tutors, technology help desk, advising, financial aid, etc. A listing of these and the many other services available to our students is available at <http://www.mclennan.edu/campus-resource-guide/>

Academic Support and Tutoring is here to help students with all their course-related needs. Specializing in one-on-one tutoring, developing study skills, and effectively writing essays. Academic Support and Tutoring can be found in the Library and main floor of the Learning Commons. This service is available to students in person or through Zoom. You can contact the Academic Support and Tutoring team via Zoom or email (ast@mclennan.edu) by going to our website (<https://www.mclennan.edu/academic-support-and-tutoring/>)

College personnel recognize that food, housing, and transportation are essential for student success. If you are having trouble securing these resources or want to explore strategies for balancing life and school, we encourage you to contact either MCC CREW – Campus Resources Education Web by calling (254) 299-8561 or by emailing crew@mclennan.edu or a Success Coach by calling (254) 299-8226 or emailing success@mclennan.edu.

Paulanne's Pantry (MCC's food pantry) provides free food by appointment to students, faculty and staff. To schedule an appointment, go to <https://calendly.com/paulannespantry-mcc/15min>.

The CREW, Success Coaches, and Paulanne's Pantry are all located on the second floor of the Student Services building in Success Coaching Services.

MCC Foundation Emergency Grant Fund:

Unanticipated expenses, such as car repairs, medical bills, housing, or job loss can affect us all. Should an unexpected expense arise, the MCC Foundation has an

emergency grant fund that may be able to assist you. Please go to <https://www.mclennan.edu/foundation/scholarships-and-resources/emergencygrant.html> to find out more about the emergency grant. The application can be found at https://www.mclennan.edu/foundation/docs/Emergency_Grant_Application.pdf

MCC Academic Integrity Statement:

Please view our [Academic integrity statement](#) for more information about academic integrity, dishonesty, and cheating. The unauthorized use of artificial intelligence (AI) for classwork can be a violation of the College's General Conduct Policy. Whether AI is authorized in a course and the parameters in which AI can be used in a course will be outlined by each instructor.

Minimum System Requirements to Utilize MCC's D2L|Brightspace:

Go to <https://www.mclennan.edu/center-for-teaching-and-learning/Faculty-and-Staff-Commons/requirements.html> for information on the minimum system requirements needed to reliably access your courses in MCC's D2L|Brightspace learning management system.

Minimum Technical Skills:

Students should have basic computer skills, knowledge of word processing software, and a basic understanding of how to use search engines and common web browsers.

Backup Plan for Technology:

In the event MCC's technology systems are down, you will be notified via your MCC student email address. Please note that all assignments and activities will be due on the date specified in the Instructor Plan, unless otherwise noted by the instructor.

Email Policy:

McLennan Community College would like to remind you of the policy (<http://www.mclennan.edu/employees/policy-manual/docs/E-XXXI-B.pdf>) regarding college email. All students, faculty, and staff are encouraged to use their McLennan email addresses when conducting college business.

A student's McLennan email address is the preferred email address that college employees should use for official college information or business. Students are expected to read and, if needed, respond in a timely manner to college emails. For more information about your student email account, go to www.mclennan.edu/studentemail.

Instructional Uses of Email:

Faculty members can determine classroom use of email or electronic communications. Faculty should expect and encourage students to check the college email on a regular basis. Faculty should inform students in the course syllabus if another communication method is to be used and of any special or unusual expectations for electronic communications.

If a faculty member prefers not to communicate by email with their students, it should be reflected in the course syllabus and information should be provided for the preferred form of communication.

Email on Mobile Devices:

The College recommends that you set up your mobile device to receive McLennan emails. If you need assistance with set-up, you may email Helpdesk@mclennan.edu for help.

You can find help on the McLennan website about connecting your McLennan email account to your mobile device:

- [Email Setup for iPhones and iPads](#)
- [Email Setup for Androids](#)

Forwarding Emails:

You may forward emails that come to your McLennan address to alternate email addresses; however, the College will not be held responsible for emails forwarded to an alternate address that may be lost or placed in junk or spam filters.

For more helpful information about technology at MCC, go to [MCC's Tech Support](#) or email helpdesk@mclennan.edu.

Disclaimer:

The resources and policies listed above are merely for informational purposes and are subject to change without notice or obligation. The College reserves the right to change policies and other requirements in compliance with State and Federal laws. The provisions of this document do not constitute a contract.