I. COURSE DESCRIPTION:

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

B. LGLA 1345, Civil Litigation, is a required course in the Paralegal degree program.

C. This course is occupationally related and serves as preparation for careers in law.

D. Prerequisite(s): None

II. LEARNING OUTCOMES

GENERAL OBJECTIVES:

Upon successful completion of this course, (Civil Litigation), the student will:

A. Use terminology relating to civil litigation.

B. Analyze sources relating to civil litigation and applicable court rules.

C. Draft documents used in civil litigation.

D. Analyze the ethical consideration of the paralegal relating to civil litigation.

STUDENT OUTCOMES:

A. To demonstrate knowledge of the laws pertaining to Civil Litigation and its terminology.  
   Measure: Students will take quizzes, mid-term and final examinations following lectures and discussions relating to Civil Litigation.  
   Standard: At least 80% of all students will receive a grade of “C” or better on each of these examinations.

B. To demonstrate critical thinking skills used in the analysis and interpretation of the law.  
   Measure: Students will complete an exercise interpreting and applying Civil
Litigation law to a hypothetical legal problem.
Standard: At least 80% of all students will receive a grade of “C” or better for this project.

III. INSTRUCTIONAL MATERIALS

The instructional materials identified for this course are viewable through www.ctcd.edu/books

IV. COURSE REQUIREMENTS

A. Reading Assignment:
   As assigned by Instructor.

B. Projects, Oral Reports, Case Studies, Book Reports, Research Papers:
   Students will be expected to complete and submit all assigned projects, reports, and other assignments as indicated by the Instructor.

C. Class Performance:
   All students are required and expected to maintain the highest standards of scholastic honesty in the preparation of all course work and during examinations. For a description and consequences of scholastic dishonesty see the Central Texas College Catalog.

D. Class Participation:
   The Student is expected to be on time for class, to have read the assigned materials, and be prepared to discuss the assignment in class. All persons must be present on exam day unless properly excused in advance. Students who are late for or absent from class have the absolute responsibility for obtaining the missed information. Students will be expected to take all scheduled examinations in the class period in which they are assigned. Students are expected to observe the Central Texas College policy for attendance as explained in the current catalog.

E. Each student is expected to act in a manner consistent with the College’s functions and goals as an institution of higher education. The Board of Trustees of Central Texas College states the following examples of misconduct constitute an interference with the lawful and orderly use of college premises, facilities, and activities for which students may be subject to disciplinary action. This is not an all-inclusive list of prohibited behavior.
a. Interference with teaching, research, administration or CTC’s other responsibilities through disorderly conduct or disruptive behavior. This includes the use of or ringing of cell phones in the classroom. The instructor has the right to ask the student to leave the classroom and if the incident is repeated, the instructor has the right to ask the student to leave the class.

b. Refusing to depart from any property or facility of the College upon direction by College officials.

For more information on Non-Academic Misconduct please see the Student Handbook.

F. **Academic Dishonesty:** The College and its official representatives may initiate disciplinary proceedings against any student accused of any form of academic dishonesty. Academic dishonesty includes, but is not limited to, cheating on academic work, plagiarism and collusion.

a. Cheating on academic work includes:
   1. Copying another student’s test paper, research paper or term paper.
   2. Using materials during a test that are not authorized by the test administrator.
   3. Collaborating with another student during a test or in academic preparation without permission.
   4. Using, buying, selling, stealing, transporting, or soliciting the contents of an unadministered test.

b. Plagiarism is defined as presentation for credit as one’s own idea or product derived from an existing source.

c. Collusion is defined as the unauthorized collaboration with another person in preparing written work for credit.

All questions of academic dishonesty are reviewed by the faculty member. If the student does not accept the decision of the faculty member, the student may appeal to the department chairperson. If the student disagrees with the decision of the department head, the student’s case will be referred to the Dean of the Central Campus. The student will be allowed to remain in class until the process is exhausted except when immediate suspension or expulsion is deemed necessary for the continuance of the educational mission or when the safety of persons or property is in jeopardy. (See Student Handbook for more details.)

G. **Feedback** is the return of data about the result of a process. Feedback will be provided via test scores, graded assignments, and/or instructor evaluation of the students’ progress. Each student is encouraged to take advantage of the many avenues for feedback available to them. For example, office hours are established primarily to provide students access to their instructors to discuss their academic performance, to answer their substantive questions, and in some cases, to give
them other academic guidance. While adjunct faculties do not normally have office hours, they are generally available before or after class to meet with you. E-mail is another easily available medium to obtain feedback. Additional feedback may be provided at the discretion of the instructor or upon the request of the student.

V. EXAMINATIONS (CC1, 2)

In addition to the required drafting of documents, there will be two exams for this course. Each exam is worth 40% of your grade. The practical exercises and attendance will be worth the remaining 20% of your grade. The Instructor may substitute a writing project or report for one or more exams.

VI. SEMESTER GRADE COMPUTATIONS

The course requires that the student practice the drafting of documents typically found in civil litigation. Often this includes an on-going fact situation, and requires the student to draft some basic pleadings and discovery or motion documents. The instructor may grade them or may simply have their successful completion as a course requirement.

VII. NOTES AND ADDITIONAL INSTRUCTIONS FROM COURSE INSTRUCTOR

A. Course Withdrawal: There are occasions when it may be necessary to drop a course. In order to be officially withdrawn from the course, a student must obtain and complete a withdrawal form and have it signed thereon. The student’s transcript will show “W” or “F”, depending on whether the student is passing or failing in his/her course at the time of withdrawal.

- Friday of 3rd week for 5-week courses
- Friday of 4th week for 6-week courses
- Friday of 6th week for 8-week courses
- Friday of 7th week for 10-week courses
- Friday of 9th week for 12-week courses
- Friday of 12th week for 16-week courses

B. Administrative Withdrawal: Results when a student is absent an excessive number of times, as defined in the current Central Texas College Catalogue and/or other published amendatory documentation. In such a case, the student is dropped from the course with a grade of “F”.

C. Incomplete Grade: May be given only in those cases where, because of personal illness, death in the immediate family, school sponsored trip, or military orders, the student is unable to complete the final examination for a course. Prior approval from the instructor is required before the grade of “IP” is recorded. A student who merely fails to show for the final examination will receive a zero for the final and “F” for the course.
D. **Cellular Phones and beepers:** Cellular phones and beepers will be turned off while the student is in the classroom or laboratory.

E. **American’s with Disabilities Act (ADA):** Disability Support Services provides services to students who have appropriate documentation of a disability. Students requiring accommodations for class are responsible for contacting the Office of Disability Support Services (DSS) located on the central campus. This service is available to all students, regardless of location. Explore the website at [www.ctcd.edu/disability-support](http://www.ctcd.edu/disability-support) for further information. Reasonable accommodations will be given in accordance with the federal and state laws through the DSS office.

F. **Instructor Discretion:** The instructor reserves the right of final decision in course requirements.

G. **Civility:** Individuals are expected to be cognizant of what a constructive educational experience is and respectful of those participating in a learning environment. Failure to do so can result in disciplinary action up to and including expulsion.

H. **Nonattribution Policy:** In order to facilitate the free flow of information, no statements of personal opinion by the instructor concerning lawyers, judges, cases, or the legal system may be attributed to the speaker is meant to be confidential. This educational institution encourages complete freedom of expression in all academic endeavors. Comments made by the instructors and students will not be attributed to them in any public forum or to any individual likely to transmit such statements to a public forum. However, participation in CTC academic events does not create a category of privileged communication. Our nonattribution policy protects all participants in our program -- staff, faculty, students, speakers, and other guests -- against having their remarks and opinions publicly quoted or otherwise attributed to them without their express consent; allows such statements to be discussed, away from CTC, provided care is taken to avoid publicly identifying the speaker; and encourages speakers to be responsible for the substantive content of their statements.

**VIII. COURSE OUTLINE**

A. **Unit One: Introduction to Civil Litigation**

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:
   a. Describe federal and state court systems.
   b. Explain the functions of trial vs. appeals court.
   c. Differentiate between the tasks that paralegals can perform and tasks that can only be performed by attorneys.
   d. Define ways conflict of interest can arise during the litigation process.
   a. Describe the limits for both paralegals and attorneys when communicating with parties and judges.
b. Define jurisdiction and venue.

c. Explain how jurisdiction and venue impact where a case is filed.

d. Determine where to file a lawsuit.

e. 

2. Learning Activities
   a. Classroom lecture and discussion (C1, C5, C9)
   b. Student homework and study (C1, C5, C8, F1)
   c. Reading Assignments (F13, C1)

3. Lesson Outline
   a. Litigation and the Paralegal
   b. The Courts and Jurisdiction

Preliminary Considerations and Procedures The Courts and Jurisdiction
   b. Preliminary Considerations and Procedures
   c. 

B. Unit Two: Initiating Litigation

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. Select and screen witnesses.
   b. Conduct initial interviews.
   c. Research rules for joining parties and claims to support a joinder motion or cross-claim motion.
   d. Draft a complaint to initiate litigation.
   e. Describe state and federal rules for a valid summons.
   f. 

2. Learning Activities
   a. Classroom lecture and discussion (C1, C5, C9)
   b. Student homework and study (C1, C5, C8, F1)
   c. Reading Assignments (F13, C1)

3. Lesson Outline
   a. Investigation and Evidence
   b. The Complaint
   c. Responses to the Complaint
   d. Motion Practice

E. Unit Three: Discovery

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
   a. Describe the discovery techniques of collecting and managing evidence to ensure it remains admissible in court.
b. Draft interrogatories and review responses to identify relevant witnesses and information.
c. Prepare for depositions and review information from depositions to identify details pertinent to the case.
d. Organize received information and prepare documents to send.
e. Investigate the facts identified during discovery and put together legal arguments based on those facts.

2. Learning Activities
a. Classroom lecture and discussion (C1, C5, C9)
b. Student homework and study (C1, C5, C8, F1)
c. Reading Assignments (F13, C1)

3. Lesson Outline
a. Overview of the Discovery Process
b. Depositions
c. Interrogatories
d. Physical and Mental Examinations
e. Request for Documents
f. Request for Admission

F. Unit Four: Pre-trial, Trial, and Post-trial

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:
a. Differentiate pretrial, trial, and posttrial motions, and list examples of each.
b. Describe the federal procedures and time limits that apply to pretrial motions.
c. Describe the process of how settlements are negotiated out of court between plaintiffs and defendants.
d. Explain why settlement is a common resolution to lawsuits.
e. Explain the jury selection process.
f. Describe the sequence of a trial, from opening statements to jury deliberations.
g. Identify a timeline for the actions needed to initiate an appeal.
h. Describe the paralegal’s role in managing deadlines and procedures during appeals.
i. Summarize the format of the appellate brief.

2. Learning Activities
a. Classroom lecture and discussion (C1, C5, C9)
b. Student homework and study (C1, C5, C8, F1)
c. Reading Assignments (F13, C1)

3. Lesson Outline
a. Settlements, Dismissals, and Alternate Dispute Resolution
b. Trial Techniques
c. Post-trial Practice