I. COURSE DESCRIPTION:

A. This course presents the implementation of advanced civil litigation techniques with emphasis on the paralegal's role. Builds upon skills acquired in prior civil litigation courses.

B. LGLA 2335, Advanced Civil Litigation, is a capstone course in the Paralegal/Legal Assistant Program.

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

D. Prerequisite(s): LGLA 1345.

II. LEARNING OUTCOMES

GENERAL OBJECTIVES:

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

A. Analyze complex fact situations.

B. Identify legal issues.

C. Research applicable sources of law.

D. Formulate legal theories.

E. Generate litigation documents.

F. Describe the role and ethical considerations of the paralegal relating to advanced civil litigation.

STUDENT OBJECTIVES:

A. 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 rules and draft appropriate documents for 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

A. Instructional Materials for this course may be found at 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.

1. 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.

2. 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.

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

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

3. 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)

A. There will be a comprehensive exam for this course. The Instructor may substitute a drafting project or final project.

B. The student must be present for all examinations. No make-up examinations will be given. Students who know in advance they will be absent from an examination due to valid reasons must arrange to take an early examination. Unexpected absences due to illness or extenuating circumstances will require the student to see the instructor about individual make-up work in lieu of the missed examination.

C. Students without excused absences will be given a zero for the examination missed.

VI. SEMESTER GRADE COMPUTATIONS

As per the instructor.

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
B. **Administrative Withdrawal**: A student may be administratively by a designated member of the Registrar’s Office under the following conditions:

- The student has been placed on Academic Suspension or Disciplinary Suspension;
- The student has an outstanding financial obligation owed to the college; or
- The student registered for a course without the required prerequisite or departmental permission;
- The college is under no obligation to refund tuition and fees, or other costs associated with a student who is administratively withdrawn.

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 provide 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. Review 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. **No attribution 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: Review of Litigation and Initiating Litigation

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:

   a. Identify the terms of the attorney-client relationship.
   b. Determine a client’s needs and priorities.
   c. Apply the elements of potential claims, remedies, defenses, and counterclaims.
   d. Identify likely sources of proof.
   e. Determine what informal fact discovery is necessary.
   f. Develop a litigation strategy
   g. Develop litigation cost and timetable estimates.
   h. Discuss the use of a litigation file system.

2. **Learning Activities**

   a. Classroom or on-line lecture and discussion *(C1, C5, C9)*
   b. Student homework and study *(C1, C5, C8, F1)*
   c. Reading Assignments *(F13, C1)*

3. **Lesson Outline**

   a. Chapter 3: Preliminary Considerations and Procedures
      1. Case Study and Quiz
   b. Chapter 4: Investigation and Evidence
      1. Case Study and Quiz

B. Unit Two: Pleadings & Motions

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:

   a. Draft various pleading requirements
   b. Describe complaints and the various steps in filing a complaint
   c. Discuss Rule 12 responses under the federal rules.
d. Draft a defendant’s answer
f. Describe and discuss counterclaims
g. Describe the various types of pretrial motions

2. Learning Activities

a. Classroom or on-line lecture and discussion (C1, C5, C9)
b. Student homework and study (C1, C5, C8, F1)
c. Reading Assignments (F13, C1)

3. Lesson Outline

a. Chapter 5: The Complaint
   1. Case Study and Quiz
   2. Learning Lab Assignment
b. Chapter 6: Responses to the Complaint
   1. Case Study and Quiz
   2. Learning Lab Assignment
c. Chapter 7: Motion Practice
   1. Case Study and Quiz

C. Unit Three: Discovery

1. Learning Outcomes: Upon successful completion of this unit the student will be able to:

   a. Discuss the scope of discovery.
   b. Describe an overview of discovery strategy.
   c. Describe discovery planning meetings and pretrial scheduling conference and their purpose.
   d. Identify and discuss required disclosures.
   e. Discuss the timing and topics of initial as well as expert disclosures as well as drafting the disclosures.
   f. Discuss and describe interrogatories and response to interrogatories.
   g. Discuss requests to produce documents and subpoenas.
   h. Describe and define depositions.
   i. Discuss physical and mental examinations.
   j. Define and discuss requests to admit facts
   k. Identify and discuss discovery motions and reviews.

2. Learning Activities

   a. Classroom or on-line lecture and discussion (C1, C5, C9)
   b. Student homework and study (C1, C5, C8, F1)
   c. Reading Assignments (F13, C1)
3. **Lesson Outline**

   a. Chapter 8: Overview of the Discovery Process
      1. Learning Lab Assignment
   b. Chapter 9: Depositions
      1. Learning Lab Assignment
   c. Chapter 10: Interrogatories
   d. Chapter 11: Physical and Mental Exams
   e. Chapter 12: Request for Documents
   f. Chapter 13: Request for Admissions and the Future of Discovery

D. **Unit Four: Pretrial, Trial**

1. **Learning Outcomes:** Upon successful completion of this unit the student will be able to:

   a. Discuss the scope of discovery.
   b. Discuss and describe pretrial conferences as well as pretrial disclosures, memorandums, and pretrial orders.
   c. Describe discovery planning meetings and pretrial scheduling conference and their purpose.
   d. Discuss settlements as well as case evaluations including the various steps in case evaluations.

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. Chapter 14: Settlements, Dismissals, and ADR
      1. Case Study and Quiz
      2. Learning Lab Assignment
   b. Chapter 15: Trial Techniques
      1. Case Study and Quiz
      2. Learning Lab Assignment