**Course Master Syllabus**

**LGLA 1345 - Civil Litigation**

**(Note: The actual syllabus will vary depending upon the Instructor)**

**I. Course Description / Prerequisites:**  This course presents fundamental concepts and procedures of civil litigation with emphasis on the paralegal's role. Topics include pretrial, trial, and post trial phases of litigation. Additional topics include issue identification in matters pertaining to pretrial civil litigation. **LGLA 1313 must be taken either before or at the same time as this course.**

**II. Course Rationale / Objectives:**

This course is designed to prepare the student to function as a paralegal in the context of a law firm or agency that practices law in the arena of civil litigation. This course is also designed to develop the student’s issue identification skills.

**III. Student Learning Outcomes:**

1. Course-Level Student Learning Outcomes: The student will use terminology relating to civil litigation; draft documents used in civil litigation; analyze the ethical considerations of the paralegal relating to civil litigation; and, exhibit an in-depth understanding of the procedural law applicable to the practice of civil litigation. The student willdisplay the ability to brief court opinions and identify the legal issue resolved by the court opinion.
2. Program-Level Student Learning Outcomes:
3. To ensure that students understand a broad range of legal concepts and terms.
4. To ensure that students are able to perform legal research and identify and apply the salient holdings of appellate decisions to related fact patterns.
5. To ensure students ability to apply legal concepts to changing fact patterns.
6. To ensure students understanding of the basis for, and ability to draft, the documents used in a broad range of legal environments.
7. To encourage students to develop the initiative and work habits that will make them successful in a broad range of legal environments.
8. Ultimately, to prepare the student to perform well as a paralegal in a broad range of law office / law division environments.
9. SCANS Competencies: The SCANs Competencies that will be developed in this Course are listed on Exhibit A.

**IV. Required/Recommended Texts**:

A. Required Purchase: (1) Field, Crump, Kaplan & Clermont, Civil Procedure: Materials for a Basic Course.

Foundation Press; Harr, Jonathon. 1995. A Civil Action. New York, Vintage **(Check with the instructor for current editions or changes)**

B. Recommended:

**V. Instructional Methodology:**

This course will be taught via a combined lecture and practical application format. Students will be expected to have absorbed the assigned material prior to class. The approach in this course places the student in a law office setting where the instructor assumes the role of the legal assistant’s supervising attorney. In this context, the lawyer and legal assistant work as members of a collaborative team that serves the interests of their clients. For some students, the skills and knowledge covered in this course will occupy a considerable amount of their professional duties. Working on civil litigation can be challenging and fun, while for others watching paint dry offers more excitement. No matter where you may fit in, the instructor intends to share with you the instructor’s enthusiasm for this subject.

**VI. Course Evaluation System:**

1. Examinations: A mid-term exam and a comprehensive final exam will be given during the course of the semester. Each exam will be worth 100 points. The exam formats will be discussed in class. **No make-up exams will be administered**.  If you must miss the mid-term, notify me in advance and provide me full written documentation from the appropriate entity within 7 days of the exam stating one of the following approved excuses: that the absence was because of a Austin Community College activity, a severe illness, or a dire emergency. If these conditions are met, your score on the comprehensive final exam will be substituted for the exam you missed.  Otherwise, I will assign you a zero for the mid-term exam.
2. Activities: **Pop attendance quizzes, briefing cases, and class participation -** The combination of all these (the number of each will vary at the professor’s discretion) will count for a possible100 points. There will be pop-quizzes and/or briefing case assignments with due dates given throughout the semester. You will have more than 100 points of opportunities to earn 100 points. The maximum number of activity points you can earn is 100. **NO LATE ASSIGNMENTS ACCEPTED**. ***Keep one copy of all written assignment you submit.* There will be no make-up quizzes or make-up group work**.
3. Term Essay**:** Students will be asked to complete a term essay. **Details of this essay requirement will be posted on the class Blackboard site.** The point value of this project will be 100 points. The purpose of this project is to develop your analytical and writing skills.
4. Extra Credit: There is **NO** extra credit available in this course.
5. Grading: You will be graded based on the **total points earned (not your average)** during the semester from the exams, activities, and research paper:

Requirements Number Points Point Value

1. **Activities**: Pop-quizzes; varies 100 points based on 100

Written briefs; participation; the total of quizzes,

& group work written briefs,

participation, & group

work

1. **Exams** 2 100 per exam 200
2. **Term Essay** 1 100 100

TOTAL POINTS 400

1. The final letter grade in the course will be based upon the total available points received, as follows:

A – 360-400 points

B – 320-359 points

C – 280-319 points

D – 240-279 points

F - 0-239 points

**VII. Course Policies:**

1. Preparation for Class

Students are required to complete the assigned readings in accordance with the schedule contained in this syllabus. **Students must read the assignments BEFORE the class date for which they are due.** Students are also expected to be prepared to discuss assigned readings when called on in class or to take unannounced pop quizzes covering the assigned readings for that day. Students are expected to stay current on the reading schedule contained in this syllabus regardless of the pace of lectures and discussions.

**As a further incentive to attend class, the details presented in lecture-discussions and in any PowerPoint presentations can ONLY BE AQUIRED BY ATTENDING CLASS**. I do not post on Blackboard detailed lecture notes or power point presentations and I will not give out my notes. If you do miss a class, contact one of your fellow students to get the lecture notes you missed. I will not redeliver a lecture to you nor will I summarize a class session in an email or message to you.

**IF YOU MISS CLASS FOR ANY REASON, YOU REMAIN RESPONSIBLE FOR ALL THE MATERIAL COVERED IN CLASS AND FOR STAYING CURRENT ON ALL MATTERS PERTAINING TO YOUR OBLIGATIONS IN THIS COURSE.**

The lectures will be based on the assumption that you have done the reading assignments beforeclass. Lectures will develop new themes and introduce additional ideas and information not found in the readings. The lectures serve to promote discussion and to complement and to clarify the readings. They will not merely summarize the book or the readings. Note that about half the material on the exams comes from the lectures. In my experience, if you do not attend class regularly, you will perform poorly on exams.

Students enrolled in this class are authorized to take notes in class, but this authorization extends only for personal educational use by the students enrolled in this course. ***Reproduction, distribution, or publication (on-line or otherwise) of transcribed or taped versions of my lectures or course materials is not permitted without my express written consent*.**

**Lectures and discussions are NOT to be recorded by any form of electronic sound recording devices unless (1) the student received approval for such recording pursuant to a requested reasonable accommodation through the ACC Office for Students with Disabilities and (2) the student received the instructor’s prior authorization.**Attendance and Class Conduct: **Each student is expected to attend class, to arrive on time, to stay for the entire class period, to participate in each class meeting, and to complete the assigned readings before each class.** You must attend the class section for which you are enrolled.

Absences eliminate opportunities to earn points on pop quizzes, to participate fully in class activities or projects, and to learn material necessary to perform well on exams. Since some assignments require class attendance, if you are not present, you will not receive credit or points for the assignment. In short, attendance is your responsibility and failure to do so will hurt your performance on exams and adversely affect your final grade.

1. Communication devices, such as cell phones, iPods, and laptops with Internet connections must be turned off before entering the classroom unless you have prior approval from the instructor.
2. Late arrivals and early departures interrupt the class. Be on time and stay for the entire class period, unless you have previously spoken to the instructor or have an acceptable excuse. What is acceptable is subject to the instructor’s discretion.
3. When you miss all or part of a class for whatever reason, you are responsible for obtaining class notes, announcements, and assignments from a classmate**.** You remain responsible for all the material covered in class and for staying current on all matters pertaining to your obligations in this course.
4. This is a professional level college course; students are expected to behave accordingly in a **respectful and responsible** manner. Behaviors which are considered to be inappropriate in this classroom include but are not limited to the following: sleeping, passing notes, coming in late, leaving early, interrupting others, talking out of turn, private conversations during lecture, inappropriate behavior during group work, verbal behavior that is disrespectful of other students or the instructor, doing work for other classes, and communicating with others on your laptop or cell phone.
5. **At the discretion of the professor, a student who violates these rules may be subject to disciplinary action, which includes but is not limited to a loss of a full letter grade for the semester grade.**
6. READINGS AND LECTURES: Students are required to complete the assigned readings in accordance with the schedule contained in this syllabus. **Students must read the assignments BEFORE the class date for which they are due.** Students are also expected to be prepared to discuss assigned readings when called on in class or to take unannounced pop quizzes covering the assigned readings for that day. Students are expected to stay current on the reading schedule contained in this syllabus regardless of the pace of lectures and discussions.
7. **As a further incentive to attend class, the details presented in lecture-discussions and in any PowerPoint presentations can ONLY BE AQUIRED BY ATTENDING CLASS**. I do not post on Blackboard detailed lecture notes or power point presentations and I will not give out my notes. If you do miss a class, contact one of your fellow students to get the lecture notes you missed. I will not redeliver a lecture to you nor will I summarize a class session in an email or message to you.
8. **IF YOU MISS CLASS FOR ANY REASON, YOU REMAIN RESPONSIBLE FOR ALL THE MATERIAL COVERED IN CLASS AND FOR STAYING CURRENT ON ALL MATTERS PERTAINING TO YOUR OBLIGATIONS IN THIS COURSE.**
9. The lectures will be based on the assumption that you have done the reading assignments beforeclass. Lectures will develop new themes and introduce additional ideas and information not found in the readings. The lectures serve to promote discussion and to complement and to clarify the readings. They will not merely summarize the book or the readings. Note that about half the material on the exams comes from the lectures. In my experience, if you do not attend class regularly, you will perform poorly on exams.
10. Students enrolled in this class are authorized to take notes in class, but this authorization extends only for personal educational use by the students enrolled in this course. ***Reproduction, distribution, or publication (on-line or otherwise) of transcribed or taped versions of my lectures or course materials is not permitted without my express written consent*.**
11. **Lectures and discussions are NOT to be recorded by any form of electronic sound recording devices unless (1) the student received approval for such recording pursuant to a requested reasonable accommodation through the ACC Office for Students with Disabilities and (2) the student received the instructor’s prior authorization.**
12. Withdrawal.

Excessive absences or failures to adequately prepare may eventually result in the student being withdrawn from the course. Do not, however, assume that absences or lack of preparation will automatically result in a withdrawal. They may simply result in a letter grade "F" at the end of the course. It is the responsibility of each student to ensure that his or her name is removed from the roll should he or she decide to withdraw from the class. If a student decides to withdraw, he or she should also verify that the withdrawal is submitted before the Final Withdrawal Date. The student is also strongly encouraged to retain their copy of the withdrawal form for their records.

Students who enroll for the third or subsequent time in a course taken after the fall semester, 2002, may be charged a higher tuition rate, for that course.

State law permits students to withdraw from no more than six courses during their entire undergraduate career at Texas public colleges or universities. With certain exceptions, all course withdrawals automatically count towards this limit. Details regarding this policy can be found in the ACC college catalog.

1. Incomplete

An “Incomplete” will not be granted in this course unless the student has a grade of “C” or better on work due prior to the term essay due date, and a demonstrable emergency. An incomplete grade cannot be carried beyond the date established by the instructor and cannot in any event be carried later than the last withdrawal date the following semester.

1. Scholastic Dishonesty

A student attending ACC assumes responsibility for conduct compatible with the mission of the college as an educational institution. Students have the responsibility to submit coursework that is the result of their own thought, research, or self-expression. Students must follow all instructions given by faculty or designated college representatives when taking examinations, placement assessments, tests, quizzes, and evaluations. Actions constituting scholastic dishonesty include, but are not limited to, plagiarism, cheating, fabrication, collusion, and falsifying documents. Penalties for scholastic dishonesty will depend upon the nature of the violation and may range from lowering a grade on one assignment to an “F” in the course and/or expulsion from the college. See the Student Standards of Conduct and Disciplinary Process and other policies at http://www.austincc.edu/current/needtoknow

1. Academic Freedom

Each student is expected to participate in class. In any classroom situation that includes discussion and critical thinking, there are bound to be differing viewpoints. Students may not only disagree with each other on occasion, but the students and instructor may also find that they have disparate views. It is expected that these differences will enhance the class and create an atmosphere where students and instructor alike will be encouraged to think and learn. Accordingly, rest assured that no student’s grade will be adversely affected by any beliefs or ideas expressed in class.

1. Student Discipline

In the event, a student acts in such a way as to significantly interfere with or disrupt the learning atmosphere of the classroom, the instructor may direct the student to leave the class and may take other measures as appropriate. See the ACC Student Handbook on the web: <http://www.austincc.edu/handbook/>

1. Office of Students with Disabilities

Each ACC campus offers support services for students with documented disabilities.  Students with disabilities who need classroom, academic or other accommodations must request them through the Office for Students with Disabilities (OSD).   Students are encouraged to request accommodations when they register for courses or at least three weeks before the start of the semester, otherwise the provision of accommodations may be delayed.

Students who have received approval for accommodations from OSD for this course must provide the instructor with the ‘Notice of Approved Accommodations’ from OSD before accommodations will be provided.   Arrangements for academic accommodations can only be made after the instructor receives the ‘Notice of Approved Accommodations’ from the student.

Students with approved accommodations are encouraged to submit the ‘Notice of Approved Accommodations’ to the instructor at the beginning of the semester because a reasonable amount of time may be needed to prepare and arrange for the accommodations.

Additional information about the Office for Students with Disabilities is available at [http://www.austincc.edu/support/osd/](%20http://www.austincc.edu/support/osd/)

1. Course Calendar

The Course Calendar is a separate document which will be provided with this syllabus.

1. Testing Center

General use of the testing center is not available to students in this course; however, students using the Academic Testing Center must govern themselves according to the Student Guide for Use of ACC Testing Centers and should read the entire guide before going to take the exam. To request an exam, one must have:

* [ACC Photo ID](http://www.austincc.edu/support/admissions/student_id.php)
* Course Abbreviation (e.g., LGLA)
* Course Number (e.g.,1311)
* Course Synonym (e.g., 10123)
* Course Section (e.g., 005)
* Instructor's Name

Do NOT bring cell phones to the Testing Center. Having your cell phone in the testing room, **regardless of whether it is on or off**, will revoke your testing privileges for the remainder of the semester. ACC Testing Center policies can be found at http://www.austincc.edu/testctr/

1. Student and Instructional Services

ACC strives to provide exemplary support to its students and offers a broad variety of opportunities and services. Information on these services and support systems is available at:  [http://www.austincc.edu/s4/](http://www.austincc.edu/current/)

Links to many student services and other information can be found at: http://www.austincc.edu/current/

Tutoring is not available for this course; however, ACC Learning Labs do provide free tutoring services to all ACC students currently enrolled in a course that provides tutoring. The tutor schedule for each Learning Lab may be found at: <http://www.autincc.edu/tutor/students/tutoring.php>

For help setting up your ACCeID, ACC Gmail, or ACC Blackboard, see a Learning Lab Technician at any ACC Learning Lab.

1. Use of ACC email

All College e-mail communication to students will be sent solely to the student’s ACCmail account, with the expectation that such communications will be read in a timely fashion. ACC will send important information and will notify you of any college related emergencies using this account. Students should only expect to receive email communication from their instructor using this account. Likewise, students should use their ACCmail account when communicating with instructors and staff. Instructions for activating an ACCmail account can be found at <http://www.austincc.edu/accmail/index.php>

1. Safety Statement

Austin Community College is committed to providing a safe and healthy environment for study and work. You are expected to learn and comply with ACC environmental, health and safety procedures and agree to follow ACC safety policies. Additional information on these can be found at http://www.austincc.edu/ehs. Because some health and safety circumstances are beyond our control, we ask that you become familiar with the Emergency Procedures poster and Campus Safety Plan map in each classroom. Additional information about emergency procedures and how to sign up for ACC Emergency Alerts to be notified in the event of a serious emergency can be found at http://www.austincc.edu/emergency/.

Please note, you are expected to conduct yourself professionally with respect and courtesy to all. Anyone who thoughtlessly or intentionally jeopardizes the health or safety of another individual will be dismissed from the day’s activity, may be withdrawn from the class, and/or barred from attending future activities.

**LEGAL DISCLAIMER**

Everything that is discussed in the classroom or individually with the instructor is strictly for educational purposes only. The instructor will not and does not provide legal advice to any student. Nor shall any comments from the instructor be considered legal advice.

**EXHIBIT A**

**Civil Litigation – LGLA 1345**

**SCANS Competencies**

**Students in this Course will be expected to use or achieve the following Competencies**

**Resources**

1.l. Allocates Time: Allocates time between coursework/work/family/friends.

**Interpersonal**

2.1. Participates as a Member of a Team: Works cooperatively with others on joint assignments.

2.2. Teaches Others: Explains concepts in class.

* 1. Negotiates: Works toward an agreement on the validity of exam questions.

2.6. Works with Cultural Diversity: Works well with men and women and with a variety of ethnic, social, or educational backgrounds in the context of the class..

**Information**

3.1. Acquires and Evaluates Information: Extracts crucial legal issues from court cases.

3.2. Organizes and Maintains Information: Takes notes on assigned material for use in class.

3.3. Interprets and Communicates Information: Evaluates assigned material and explains it to the class.

3.4. Uses Computers to Process Information: Employs computers to process course notes and to obtain, analyze and brief court cases.

**Technology**

5.2. Applies Technology to Task: Understands the overall intent and the proper procedures for setting up and using computers and their programs.

**Basic Skills**

6.1. Reading: Locates, understands, and interprets written information in the text and assigned court cases.

* 1. Writing: Communicates thoughts, ideas, information, and messages effectively in writing.
  2. Listening: Receives, attends to, interprets, and responds to verbal messages during class lectures and discussions.

6.6. Speaking: Organizes ideas and effectively communicates thoughts when being quesitoned in class and during class discussions.

**Thinking Skills**

7.1. Creative Thinking: Uses imagination freely, combines ideas in new ways, when discussing hypothetical problems..

* 1. Decision Making: Chooses the best alternative in multiple choice questions.

7.3. Problem Solving: Recognizes that problems in hypothetical situations and identifies possible solutions.

* 1. Knowing How to Learn: Finds the important information in class discussions and texts and consolidates the information into a useable format.

7.6. Reasoning: Identifies the crucial issue in a court case and recognizes the potential application of the rule in the case to other cases with similar facts and circumstances.

**Personal Qualities**

* 1. Responsibility. Exerts a high level of effort and perseverance in effectively preparing for class and class discussions.

8.4. Self-Management: Motivates self through goal achievement; exhibits self-control and responds to feedback unemotionally and non-defensively, is a "self-starter."

8.5. Integrity/Honesty: Can be trusted to accomplish her/his own work without excessive involvement of other students.