



WACO, TEXAS

Federal Civil Litigation
LGLA 1342
COURSE SYLLABUS

REVISED:
For 2009-2010

**LEGAL ASSISTANT PROGRAM
COURSE SYLLABUS
2009-2010**

GENERAL COURSE INFORMATION

Title: Federal Civil Litigation

Course Number: **LGLA 1342**

INSTRUCTOR INFORMATION

Name:

Office Address: Applied Science 215

Telephone #:

E-Mail Address: MCC email address

Office Hours: As posted outside of AS 215

This syllabus is subject to change.

If the instructor is unavailable, please leave a message with Dorothy Johnson in Room 218 of the Applied Sciences Building at 299-8238.

COURSE DESCRIPTION

This course introduces the use of routine forms developed for the practice areas of Civil Litigation with a focus on Texas practice.

Prerequisites and/or Corequisites: None

REQUIRED TEXTBOOK AND MATERIAL

The Litigation Paralegal: A Systems Approach, current edition or edition used in Texas Civil Litigation (West Publishing Co.) by James McCord and Sandra McCord

O'Connor's Rules of Court, State, current edition or edition used in Texas Civil Litigation (West Publishing Co.)

Course Objectives and/or Competencies:

Describe and explain the stages of a civil lawsuit

Describe the mechanics of filing and answering a lawsuit

Distinguish between pleadings, motions, and orders

Know the deadlines involved in the pre-trial process of pleading

Describe the types of extraordinary remedies available to litigants

Identify the importance and methods of docketing

Delineate the procedures and issues involved in the paralegal's role in interviewing clients and witnesses

Draft forms, checklists, pleadings, documents, motions, and other materials relevant to the litigation process.

Explain the ethical obligations of the paralegal relating to civil litigation

Know the definitions of and properly use terminology relating to civil litigation.

Course Outline:

Interviewing

Evidence

Investigation

Drafting the Complaint

Filing the Lawsuit

Defending the Lawsuit

MCC Attendance Policy:

Regular and punctual attendance is expected of all students, and each instructor will maintain a complete record of attendance for the entire length of each course, including online and hybrid courses. Students will be counted absent from class meetings missed, beginning with the first official day of classes. Students, whether present or absent, are responsible for all material presented or assigned for a course and will be held accountable for such materials in the determination of course grades. In the case of online and hybrid courses, attendance will be determined in terms of participation, as described in the course syllabus.

Absence from 25 percent of scheduled lecture and/or laboratory meetings will be taken as evidence that a student does not intend to complete the course, and the student will be withdrawn from the course with a grade of W. The instructor may reinstate the student if satisfied that the student will resume regular attendance and will complete the course. If the student's 25 percent absences are reached after the official drop date, the instructor may assign a W, if the student is passing and requests to be withdrawn. However, if a student who is not passing reaches the 25 percent point after the official drop date, the student will receive an F. In extenuating circumstances, the instructor may assign a W to a student who is not passing.

Each absence will count toward attendance requirements in each course.

Students will be permitted to make up class work and assignments missed due to absences caused by (1) authorized participation in official College functions, (2) personal illness, (3) an illness or a death in the immediate family, or (4) the observance of a religious holy day. Also, the instructor has the prerogative of determining whether a student may make up work missed due to absences for other reasons. It is the student's responsibility to inform the instructor of the reason for an absence and to do so in a timely fashion.

Student Absences on Religious Holy Days

McLennan Community College shall excuse a student from attending classes or other required activities including examinations for the observance of a religious holy day, including travel for that purpose. Students are required to file a written request with each instructor for an excused absence. A student whose absence is excused for this observance may not be penalized for that absence and shall be allowed to take an examination or complete an assignment from which the student is excused within a reasonable time after the absence. Religious holy day means a holy day observed by a religion whose places of worship are exempt from property taxation under the Texas Tax Code. McLennan Community College may not excuse absences for religious holy days which may interfere with patient care.

Note: Students interested in seeing the class attendance policy in its entirety should check the Highlander Guide or the MCC policy manual.

Tardiness

Students are expected to arrive at class on time and to remain for the entire class period. Arriving after the roll has been checked or leaving prior to the end of the class period will affect the student's grade. Two (2) late arrivals or 2 early departures equal one (1) absence. It is the student's responsibility to ask the instructor to change an "absent" to a "tardy" if he/she arrives after the roll has been taken. Leaving early without prior explanation to the instructor equals an absence.

Late Work

All assignments must be completed on time. **There will be a 5 point grade reduction for each class that the assignment is late for day classes, and a 10 point grade reduction for evening classes. Turning in an assignment late receives the same penalty as if it were not turned in until the next class.** No assignments will be accepted after two weeks of the due date. Any variance from this policy is within the instructor's discretion.

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.

Ethics

It is the student's responsibility to read the General Conduct Responsibility Policy in the Highlander Guide (MCC Student Handbook). Any breaches of conduct will result in disciplinary action.

Academic Dishonesty Policy: Students found to be guilty of acts of academic dishonesty are subject to college policy as found in <http://www.mclennan.edu/students/hguide/gen.html> . In addition, in this class, students are subject to the following discipline:

First Offense: failing grade on the assignment

Second Offense: failing grade in the course

ADA Statement:

In accordance with the requirements of the Americans with Disabilities Act (ADA), and the regulations published by the United States Department of Justice 28 C.F.R. 35.107(a), MCC's designated ADA co-coordinators, Mr. Gene Gooch - Vice President, Finance and Administration and Dr. Santos Martinez – Vice President, Student Services shall be responsible for coordinating the College's efforts to comply with and carry out its responsibilities under ADA. Students with disabilities requiring physical, classroom, or testing accommodations should contact Mr. Marcus Sweatt, Disabilities Specialist, at 299-8122 or msweatt@mclennan.edu.

GRADING

The system of grading will be based on the following standard:

A = 90 - 100

B = 80 - 89

C = 70 - 79

D = 60 - 69

F = Below 60

Grades will be determined as follows:

Major Tests including Final Exam – 50%

Quizzes, Written and Lab Assignments – 50%

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

If you miss one of the major 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 two tests, the final exam grade will be used as your grade on both missed tests as well as your final exam grade. If you miss any additional tests, those test grades will be zero.

If you miss the final exam, that grade will be zero. No makeup tests or finals are allowed, unless prior arrangements have been made with the instructor, and at the instructor's discretion.

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.

SCANS COMPETENCIES

Appropriate workplace competencies and foundation skills identified by the Secretaries Commission on Achieving Necessary Skills (SCANS) are integrated into the following objectives/competencies.

2009-2010

Statement of Workplace and Foundation Competencies

McLennan Community College is determined to prepare you with the knowledge and skills you need to succeed in today's dynamic work environment. Towards this end, the following workplace competencies and foundation skills have been designed into the curriculum for:

CIVIL LITIGATION PROGRAM:

COMMON WORKPLACE COMPETENCIES

Manage Resources:	Time / Money / Materials / Space / Staff
Exhibit Interpersonal Skills:	Work on teams/ Teach others / Serve customers / Lead work teams/ Negotiate with others
Work with Information:	Acquire & evaluate data / Interpret & communicate data
Apply Systems Knowledge:	Work within social systems / Work within technological systems / Work within organizational systems / Monitor & correct system performance / Design & improve systems
Use Technology:	Select equipment and tools

FOUNDATION SKILLS

Demonstrate Basic Skills:	Arithmetic & Mathematics / Speaking / Listening
Demonstrate Thinking Skills:	Creative thinking / Decision making / Problem solving / Thinking logically
Exhibit Personal Qualities:	Self-esteem / Self-management / Integrity

Course Number: <u>LGLA 1344</u> Course Name: <u>Federal Litigation</u>	Relevant Competencies (Identify by Competency Number)
<p style="text-align: center;">SCANS COMPETENCIES.</p> <p>1. Managing Resources:</p> <ul style="list-style-type: none"> a. Manage time b. Manage money c. Manage materials d. Manage space e. Manage staff 	<ul style="list-style-type: none"> a. b. c. d. e.
<p>2. Exhibiting Interpersonal Skills:</p> <ul style="list-style-type: none"> a. Work on teams b. Teach others c. Serve customers d. Lead work teams e. Negotiate with others f. Work with different cultures 	<ul style="list-style-type: none"> a. b. c. d. e. 1-9 f.
<p>3. Working with Information:</p> <ul style="list-style-type: none"> a. Acquire/evaluate data b. Organize/maintain information c. Interpret/communicate data d. Process information with computers 	<ul style="list-style-type: none"> a. All b. 1,6,7,13 c. 2,4,8 d. 5
<p>4. Applying systems knowledge:</p> <ul style="list-style-type: none"> a. Work within social systems b. Work within technological systems c. Work within organizational systems d. Monitor/correct system performance e. Design/improve systems 	<ul style="list-style-type: none"> a. 11 b. 5 c. 10 d. 1,6,9,14 e. 1,7,13
<p>5. Using Technology:</p> <ul style="list-style-type: none"> a. Select equipment and tools b. Apply technology to specific tasks c. Maintain/troubleshoot technologies 	<ul style="list-style-type: none"> a. b. 5,8 c.
<p style="text-align: center;">SCANS FOUNDATIONS.</p> <p>6. Demonstrating Basic Skills:</p> <ul style="list-style-type: none"> a. Reading b. Writing c. Arithmetic/Mathematics d. Speaking e. Listening 	<ul style="list-style-type: none"> a. All b. 2,4,6,12 c. d. All e. All
<p>7. Demonstrating Thinking Skills:</p> <ul style="list-style-type: none"> a. Creative thinking b. Decision making c. Problem solving d. Thinking logically e. Seeing with the mind's eye 	<ul style="list-style-type: none"> a. b. c. d. e.
<p>8. Exhibiting Personal Qualities:</p> <ul style="list-style-type: none"> a. Individual responsibility b. Self-esteem c. Sociability d. Self-management e. Integrity 	<ul style="list-style-type: none"> a. All b. c. d. All e.