



INSTRUCTIONAL PACKAGE

Leg 201

Civil Litigation I

2019-2020

Fall/2019

INSTRUCTIONAL PACKAGE

PART I: COURSE INFORMATION

EFFECTIVE TERM: Fall 2019

COURSE PREFIX: LEG 201

CONTACT HOURS: 3.0

COURSE TITLE: Civil Litigation I

CREDIT HOURS: 3.0

RATIONALE FOR THE COURSE: To familiarize the paralegal student with the laws, procedures, rules, legal forms and processes involved in a typical civil lawsuit that will be used in their profession as a litigation paralegal.

COURSE DESCRIPTION: This course is a study of principles of litigation and rules of procedure for each court in the South Carolina system, including pleadings, practice, and discovery procedures.

PREREQUISITE: (COMPASS Writing 78 and COMPASS Reading 85) or (ACCUPLACER Reading Comp 075 and ACCUPLACER Sentence Skills 081) or (New ACCUPLACER Reading Comp 250 and New ACCUPLACER Sentence Skills 250) or (COMPANION Reading 075 and COMPANION Sentence Skills 081) or (Multiple Measures English 1) or (ACT Reading 19 and ACT English 19) or SAT Critical Reading 480 or (Credit level [ENG 100](#) Minimum Grade of C* or Credit level [ENG 101](#) Minimum Grade of C or Credit level [ENG 101](#) Minimum Grade of TC)

REQUIRED MATERIAL:

Text: Course Materials:

The materials required for this course are included in [Cengage Unlimited](#), a subscription that gives you access to **all your Cengage access codes and online textbooks** for \$119.99 a semester, \$179.99 for a year or \$240 for two years. No matter how many Cengage products you use, and for any class you are using them in, they are included in Cengage Unlimited, and the price stays the same. You can purchase access to Cengage Unlimited in the bookstore, or at [cengage.com](#). **NOTE: You only purchase Cengage Unlimited ONE TIME from the bookstore. This one purchase covers ALL the LEG course materials and any other course using Cengage materials.**

This course will require the **MindTap for Kerley – Civil Litigation 8th edition** from Cengage. The **MindTap** is available through [Cengage Unlimited](#), your subscription. MindTap is a courseware that provides you direct access to the eBook, study materials, and additional assignments/activities for class.

You can access Cengage Unlimited through your Cengage account: <https://login.cengage.com>

With Cengage Unlimited and the use of MindTap, you also get the option to rent the physical textbook for \$7.99 through your subscription

You can purchase access to Cengage Unlimited in the bookstore or at [cengage.com](#).

Please visit the Bookstore online site for most current textbook information. Use the direct link below to find textbooks.

[BOOKSTORE](#).

Enter the semester, course prefix, number and section when prompted and you will be linked to the correct textbook.

TECHNICAL REQUIREMENTS:

Access to Desire2Learn (D2L), HGTC's student portal for course materials.
WaveNet and D2L email access.

CLASSROOM ETIQUETTE:

Also, please refer to your Instructor's Course Information Sheet for specific information.
As a matter of courtesy to other students and your professor, please turn off cell phones and other communication/entertainment devices before class begins. If you are monitoring for an emergency, please notify your professor prior to class and switch cell phone ringers to vibrate.

PART II: STUDENT LEARNING OUTCOMES

COURSE LEARNING OUTCOMES and ASSESSMENTS*:

Upon completion of this course, students will be able to:

Module #1: Introduction to Civil Litigation

Materials Covered: Chapters 1 & 2

Introduction to State Procedure Rules

Introduction to State Websites

***Assessments:** Assignments

Test 1

Learning Outcomes:

1. Explain the difference between civil and criminal litigation, burdens of proof, available remedies and the court process for each;
2. Identify the functions of the trial and appellate court systems in civil litigation and select the proper court based on jurisdiction and venue requirements;
3. Utilize South Carolina and Federal Rules of Civil Procedure and frequently used websites.

Module #2: Initiating Civil Litigation

Material Covered: Chapters 3, 4, 5 and applicable SCRPC

***Assessments:** Assignments

Client Interview

Test 2

Learning Outcomes:

1. Assess facts from client interview and determine potential legal causes of action and the feasibility and ethics of filing a law suit;
2. Explain and discuss basic law office processes relating to new cases and the paralegal's role in pre-litigation activities and the role of technology in these processes.
3. Create client and/or witness intake and interview questionnaires tailored to applicable factual situation;
4. Explain types of evidence and describe sources and methods of locating, organizing and preserving evidence;
5. Describe the nature, purpose and types of pleadings used in civil litigation;
6. Identify and describe all elements and the format of a summons and complaint used in federal and South Carolina state courts.

Module #3: Responses to Complaints and Motion Practice

Material Covered: Chapters 6, 7 and applicable SCRPC

***Assessments:** Assignments
Test 3

Learning Outcomes:

1. Explain and select appropriate types of responses to civil complaints and describe the elements and formats for each type of response;
2. Explain the purpose of motions, the procedure for making and opposing a motion, and the paralegal's role in motion practice;
3. Identify common pre-trial and post-trial motions used in civil litigation;
4. Draft an affidavit for use in motion practice.

Module #4: Discovery

Material Covered: Chapters 8-13 and applicable SCRPC

***Assessments:** Assignments
Test 4

Learning Outcomes:

1. Discuss the discovery process and the types of discovery tools available in civil litigation and the paralegal's role in conducting discovery;
2. Assess and apply the federal and S.C. Rules of Civil Procedure to create a discovery plan.

Module #5: Pretrial and Trial

Material Covered: Chapters 14 – 15 and applicable SCRPC and ADR
Rules

***Assessments:** Assignments
Test 5

Learning Outcomes:

1. Explain the purpose, factors, and elements of pre-trial settlement negotiations and Alternative Dispute Resolution practice and the documents associated with each process;
2. Describe the civil litigation trial process and a paralegal's duties in trial preparation and during trial;
3. Identify the role of technology in the courtroom and during trial; and

***Students - please refer to the Instructor's Course Information Sheet for specific information on assessments and due dates.**

PART III: GRADING AND ASSESSMENT

EVALUATION OF REQUIRED COURSE MEASURES/ARTIFACTS*

Students' performance will be assessed and the weight associated with the various measures/artifacts are listed below.

EVALUATION*

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|-------------------------------|------|
| TESTS | 50% |
| ASSIGNMENTS AND PRESENTATION | 45% |
| PREPARATION AND PARTICIPATION | 5% |
| TOTAL | 100% |

****Students, for the specific number and type of evaluations, please refer to the Instructor's Course Information Sheet.***

GRADING SYSTEM:

90% - 100% — **A**

80 - 89% — **B**

70 - 79% — **C**

60 - 69% — **D**

Below 60% — **F**

I Course requirements incomplete. Must be completed by deadline given by Instructor or "I" converts to an F.

Grades earned in courses impact academic progression and financial aid status. Before withdrawing from a course, be sure to talk with your instructor and financial aid counselor about the implications of that course of action. Ds, Fs, Ws, WFs and Is also negatively impact academic progression and financial aid status.

The Add/Drop Period is the first 5 days of the semester for **full term** classes. Add/Drop periods are shorter for accelerated format courses. Please refer to the academic calendar for deadlines for add/drop ([ACADEMIC CALENDAR](#)). You must attend at least one meeting of all of your classes during that period. If you do not, you will be dropped from the course(s) and your Financial Aid will be reduced accordingly.

PART IV: ATTENDANCE

Horry-Georgetown Technical College maintains a general attendance policy requiring students to be present for a minimum of 80 percent (80%) of their classes in order to receive credit for any course. Due to the varied nature of courses taught at the college, some faculty may require up to 90 percent (90%) attendance. Pursuant to 34 Code of Federal Regulations 228.22 - Return to Title

IV Funds, once a student has missed over 20% of the course or has missed two (2) consecutive weeks, the faculty is obligated to withdraw the student and a student may not be permitted to reenroll. **Instructors define absentee limits for their class at the beginning of each term; please refer to the Instructor Course Information Sheet.**

For online and hybrid courses, check your Instructor's Course Information Sheet for any required on-site meeting times. Please note, instructors may require tests to be taken at approved testing sites, if you use a testing center other than those provided by HGTC, the center may charge a fee for its services.

Attendance for Face-to-Face Courses:

For a 14 week course (fall and spring) the allowed number of absences for a MW or TR class is as follows: 5 absences are allowed regardless of reason. After the allowed number of misses, the student will be dropped from the course with a W or a WF.

For a 10 week course (summer) the allowed number of absences for courses meeting twice a week is 4 absences. After missing the maximum number of allowed absences a student will be dropped from the course with a W or a WF.

Online/Hybrid Attendance:

Students enrolled in distance learning courses (hybrid and online) are required to participate weekly in an Attendance Discussion Board or submit an assignment in order to demonstrate course participation. Students showing no activity in the course for two weeks will be withdrawn due to lack of attendance.

Part V: Student Resources



The Student Success and Tutoring Center (SSTC)

The SSTC offers to all students the following **free** resources:

- 1. Academic coaches** for most subject areas, **Writing Center Support**, and **college success skills**.
- 2. On-line student success and academic support resources.**

Visit the SSTC website: [Student Success & Tutoring Center](#) and visit the student services tab in your WaveNet account to schedule appointments using TutorTrac. For more information, call: SSTC Conway, 349-7872; SSTC Grand Strand, 477-2113; and SSTC Georgetown, 520-1455 or go to the [Online Resource Center](#) to access on-demand resources any time.



Student Information Center: WaveNet Central (WNC)

WNC offers to all students the following **free** resources:

1. **Getting around HGTC:** General information and guidance for enrollment!
2. Use the [Online Resource Center \(ORC\)](#) for COMPASS support, technology education, and online tools.
3. **Drop-in technology support or scheduled training** in the Center or in class.
4. **In-person workshops, online tutorials and more services** are available.

Visit the WNC website: [Wavenet Central](#). Live Chat and Center locations are posted on the website. Or please call one of the following locations: WNC Conway, 349-5182; WNC Grand Strand, 477-2076; and WNC Georgetown, 520-1473.

Disability Services:

HGTC is committed to providing an accessible environment for students with disabilities. Inquiries may be directed to Beth Havens, Director of Student Development on the Conway Campus Jaime Davis, Counselor/Advisor on the Georgetown Campus or Kristin Griffin, Counselor on the Grand Strand Campus. These individuals will review documentation of the student's disability and, in a confidential setting with the student, develop an educational accommodation plan.

Note: It is the student's responsibility to self-identify as needing accommodations and to provide acceptable documentation. After a student has self-identified and submitted documentation of a disability, accommodations may be determined, accepted, and provided.

Statement of Equal Opportunity/Non-Discrimination Statement

Horry-Georgetown Technical College prohibits discrimination and harassment, including sexual harassment and abuse, on the basis of race, color, sex, national or ethnic origin, age, religion, disability, marital or family status, veteran status, political ideas, sexual orientation, gender identity, or pregnancy, childbirth, or related medical conditions, including, but not limited to, lactation in educational programs and/or activities.

Inquiries regarding the non-discrimination policies: Students and prospective student inquiries concerning Section 504, Title II, and Title IX and their application to the College or any student decision may be directed to the Vice President for Student Affairs, Dr. Melissa Batten, VP Student Affairs, Title IX Coordinator, Building 1100, Room 107A, Conway Campus, PO Box 261966, Conway, SC 29528-6066, 843-349-5228, Melissa.Batten@hgtc.edu. Employee and applicant inquiries concerning Section 504, Title II, and Title IX and their application to the College may be directed to the Vice President for Human Resources, Jacquelyne Snyder, VP Human Resources,

Section 504, Title II, and Title IX Coordinator, Building 200, Room 212A, Conway Campus, PO Box 261966, Conway, SC 29528-6066, 843-349-5212, Jacquelyne.Snyder@hgtc.edu.

Title IX Requirements

All students (as well as other persons) at Horry-Georgetown Technical College are protected by Title IX—regardless of their sex, sexual orientation, gender identity, part- or full-time status, disability, race, or national origin—in all aspects of educational programs and activities. Any student, or other member of the college community, who believes that he/she is or has been a victim of sexual harassment or sexual violence may file a report with the college’s Chief Student Services Officer, campus law enforcement, or with the college’s Title IX Coordinator, or designee.

*Faculty and Staff are required to report incidents to the Title IX Coordinators when involving students. The only HGTC employees exempt from mandatory reporting are licensed mental health professionals (only as part of their job description such as counseling services).

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| <p>Dr. Melissa Batten, VP Student Affairs <i>Title IX Coordinator</i></p> <p>Building 1100, Room 107A, Conway Campus PO Box 261966, Conway, SC 29528-6066 843-349-5228 Melissa.Batten@hgtc.edu _</p> | <p>Jacquelyne Snyder, VP Human Resources <i>Section 504, Title II, and Title IX Coordinator</i></p> <p>Building 200, Room 212A, Conway Campus PO Box 261966, Conway, SC 29528-6066 843-349-5212 Jacquelyne.Snyder@hgtc.edu</p> |