



# INSTRUCTIONAL PACKAGE

LEG 202

Civil Litigation II

2019/2020 Term  
Spring/2020

# **INSTRUCTIONAL PACKAGE**

## **Part I: Course Information**

Effective Term: Spring 2020

COURSE PREFIX: LEG 202

COURSE TITLE: Civil Litigation II

CONTACT HOURS: 3.0

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 in state and federal courts used by litigation paralegals daily.

### **COURSE DESCRIPTION:**

This course includes an in-depth examination of the principles of litigation, focusing on the application of civil techniques and the role of paralegals using hypothetical cases. (Legal Specialty)

### **PREREQUISITES/CO-REQUISITES:**

Civil Litigation I (LEG 201)

\***Online/Hybrid** courses require students to complete the DLI Online Student Orientation prior to completing an online course. The DLI Online Student Orientation can be found in WaveNet, under the My Student tab.

### **REQUIRED MATERIALS:**

Text: Kerley, Hames & Sukys, CIVIL LITIGATION FOR PARALEGALS, 8<sup>th</sup> Edition, Cengage Learning  
**or**

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.

### **ADDITIONAL REQUIREMENTS:**

Proficiency with the use of Word as a word processing software program.  
Zip Drive.

### **TECHNICAL REQUIREMENTS:**

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

### **STUDENT IDENTIFICATION VERIFICATION**

Students enrolled in online courses will be required to participate in a minimum of one (1) proctored assignment and/or one (1) virtual event to support student identification verification. Please refer to your Instructor Information Sheet for information regarding this requirement.

### **CLASSROOM ETIQUETTE:**

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. Please refer to your Instructor's Course Information Sheet for more specific information.

## **Part II: Student Learning Outcomes**

### **COURSE LEARNING OUTCOMES and ASSESSMENTS\*:**

#### **Module #1: Civil Litigation Technology, Tools & Law Office Structure & Procedure**

**Materials Covered:** South Carolina and Federal Civil Procedure Rules  
Civil Court System Review/Jurisdiction & Venue  
State and Federal Court Websites

**\*Assessments:** Class Assignment

#### **Learning Outcomes:**

1. Describe the typical structure of a law office and demonstrate knowledge of general law office procedures and responsibilities in a civil litigation practice;
2. Identify the functions of the trial and appellate court systems in civil litigation;
3. Determine the proper trial court in which to file an action based on jurisdiction and venue requirements; and
4. Utilize South Carolina and Federal Civil Procedure Rules and frequently used websites.

#### **Module #2: Client Intake & Initiating Civil Litigation**

**Material Covered:** Chapters 3, 4, 5 and applicable SCRPC  
S.C. State Court Electronic Filing Rules

**\*Assessments:** Client & Witness Interview  
Case Outline & Case Chronology  
Summon, Complaint & related documents

#### **Learning Outcomes:**

1. Develop a systematic approach to prepare for, conduct and summarize an initial client interview;

2. Assess facts from client interview and determine potential legal causes of action and the feasibility and ethics of filing a lawsuit;
3. Develop strategies for conducting informal investigation of a case;
4. Develop a case plan for filing and/or defending a civil case;
5. Draft complaint and related documents to initiate a lawsuit based on fact pattern; and
6. Describe and draft documents necessary for filing a civil action in state court and effecting service of a Summons and Complaint on appropriate parties.
7. Explain S.C. state court and federal court e-filing systems.

### **Module #3: Responses to Complaints and Motion Practice**

**Material Covered:** Chapters 6, 7 and applicable SCRPC  
State Court and County Websites

**\*Assessments:** Responsive Pleading & related documents  
Motion & related documents  
Affidavit

#### **Learning Outcomes:**

1. Draft an answer and/or counterclaim based on complaint;
2. Explain and suggest appropriate motions to be made in response to civil complaints, answers and counterclaims/third-party claims;
3. Discuss the purpose of motions, the procedure and documents for making and opposing a motion, and the paralegal's role in motion practice in S.C. state and federal courts; and
4. Draft appropriate motion based on case facts and procedural developments and supporting or opposing affidavit for use in motion practice.

### **Module #4: Discovery & Discovery Responses**

**Material Covered:** Chapters 8-13 and applicable SCRPC

**\*Assessments:** Interrogatories, Request to Produce & Request to Admit  
Responses to Discovery  
Deposition Notice/Subpoena & related documents

#### **Learning Outcomes:**

1. Discuss the purpose and scope of the discovery process;
2. Draft discovery appropriate for a case under the S.C. civil procedure rules;
3. Determine the appropriate use of and responses to interrogatories, request for production, request to admit, and request for physical/mental examination;
4. Draft and serve notices to take depositions and subpoena witness and documents; and
5. Explain a paralegal's role and tasks to assist an attorney in preparing for deposition and outline techniques for summarizing depositions transcripts.

### **Module #5: Pretrial, Settlement & Alternative Dispute Resolution, and Trial**

**Material Covered:** Chapters 14 - 16  
Applicable SCRPC and ADR Rules  
S.C. Appellate Rules

**\*Assessments:** Settlement Agreement & Consent Order  
Pre-Trial Brief  
Exhibit List

## Trial Notebook (Final Exam/Project)

### **Learning Outcomes:**

1. Explain the purpose, factors, and elements of pre-trial settlement negotiations and alternative dispute resolution (ADR) practice and the documents associated with this process;
2. Discuss the paralegal's role in trial preparation and during trial, including witness and document preparation and organization;
3. Identify and explain the role of technology in the courtroom and during trial;
4. Discuss basic trial, verdict, post-trial and appeal procedures; and
5. Draft documents relating to pre-trial and trial procedures and the appeal process.

***\*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\***

New Litigation Drafting Assignments	15%
Pleading Assignments	20%
Discovery Assignments	20%
Pre-Trial & Settlement Assignments	20%
Trial Assignment	15%
Final Project	10%
	100%

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

#### **GRADING SYSTEM:**

100 - 90 = A

89 – 80 = B

79 – 70 = C

69 – 60 = D

59 – below = 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.

## 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](mailto: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](mailto: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).

<b>Inquiries regarding the non-discrimination policies:</b>	
Student 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.	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.
<b>Dr. Melissa Batten, VP Student Affairs</b> <i>Title IX Coordinator</i>  Building 1100, Room 107A, Conway Campus PO Box 261966, Conway, SC 29528-6066 843-349-5228 <a href="mailto:Melissa.Batten@hgtc.edu">Melissa.Batten@hgtc.edu</a>	<b>Jacquelyne Snyder, VP Human Resources</b> <i>Section 504, Title II, and Title IX Coordinator</i> Building 200, Room 212A, Conway Campus PO Box 261966, Conway, SC 29528-6066 843-349-5212 <a href="mailto:Jacquelyne.Snyder@hgtc.edu">Jacquelyne.Snyder@hgtc.edu</a>