



# **INSTRUCTIONAL PACKAGE**

Leg 202  
Civil Litigation II

Spring 2021  
AY 2020 - 2021

# INSTRUCTIONAL PACKAGE

## Part I: Course Information

Effective Term: Spring 2021

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 in their profession as a litigation paralegal 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 paralegal using hypothetical cases.

### 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 MATERIAL:

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](http://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 8<sup>th</sup> 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:**

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.

**TECHNICAL REQUIREMENTS:**

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

WaveNet and D2L email access.

Zip Drive and proficiency with use of WORD as a word processing program.

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

**NETIQUETTE:** is the term commonly used to refer to conventions adopted by Internet users on the web, mailing lists, public forums, and in live chat focused on online communications etiquette. For more information regarding Netiquette expectations for distance learning courses, please visit [Online Netiquette](#).

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

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

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

**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
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 law suit;
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%
MOTION ASSIGNMENTS	10%
DISCOVERY ASSIGNMENTS	20%
PRE-TRIAL & SETTLEMENT ASSIGNMENTS	15%
TRIAL ASSIGNMENT	10%
FINAL PROJECT	10%
<b>TOTAL</b>	<b>100%</b>

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

#### GRADING SYSTEM:

90% - 100%	<b>A</b>
80 - 89%	<b>B</b>
70 - 79%	<b>C</b>
60 - 69%	<b>D</b>
Below 60%	<b>F</b>

**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. 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 eighty percent (80%) of his or her classes in order to be eligible to receive credit for any course. However, due to the varied nature of courses taught at the College, a more rigid attendance policy may be required by individual instructors. At a minimum, a student may be withdrawn from a course(s) after he or she has been absent in excess of ten percent (10%) of the total contact hours for a course. **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 tutors** for most subject areas, **Writing Center support**, and **college success skills**.
2. Online **tutoring** and academic support resources.
3. Professional and interpersonal communication **coaching** in the EPIC Labs.

Visit the [Student Success & Tutoring Center](#) website for more information. To schedule tutoring appointments using TutorTrac, visit the Student Services tab in WaveNet. Email [sstc@hgtc.edu](mailto:sstc@hgtc.edu) or 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.



### CENTRAL STUDENT INFORMATION CENTER: TECH Central

TECH Central offers to all students the following **free** resources:

1. **Getting around HGTC**: General information and guidance for enrollment!
2. Use the [Online Resource Center \(ORC\)](#) including scheduled technology training, Office 365 support, password resets, and username information.
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.

5. **Chat with our staff on TECH Talk**, our live chat service. TECH Talk can be accessed on the student portal and on TECH Central's website, or by texting questions to (843) 375-8552.

Visit the [Tech Central](#) website for more information. Live Chat and Center locations are posted on the website. Or please call (843) 349 – TECH (8324).

## **STUDENT TESTING:**

Testing in an **online/hybrid** course may be accomplished in a variety of ways:

- Test administered within D2L
- Test administered in writing on paper
- Test administered through Publisher Platforms

Further more tests may have time limits and/or require a proctor.

Proctoring can be accomplished either face-to-face at an approved site or online through RPNOW, our online proctoring service. To find out more about proctoring services, please visit the [Online Testing](#) section of the HGTC's Testing Center webpage.

The **Instructor Information Sheet** will have more details on test requirements for your course.

## **DISABILITY SERVICES:**

HGTC is committed to providing an accessible environment for students with disabilities. Inquiries may be directed to HGTC's [Accessibility and Disability Service webpage](#). The Accessibility and Disability staff 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.

## **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).

## **INQUIRIES REGARDING THE NON-DISCRIMINATION/TITLE IX POLICIES:**

**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.

**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**

*EEO 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)