

Cerro Coso College

Course Outline of Record Report

05/07/2020

PARAC140 : Civil Litigation & Procedure II

General Information

Author (s):	• Dawn Ward
Course Code (CB01) (CB01) :	PARAC140
Course Title (CB02) (CB02) :	Civil Litigation & Procedure II
Department:	Business Information Technolog
Proposal Start:	Fall 2020
TOP Code (CB03) :	(1402.00) Paralegal
SAM Code (CB09) (CB09) :	Clearly Occupational
Distance Education Approved:	Yes
Course Control Number (CB00) (CB00) :	CCC000451723
Curriculum Committee Approval Date:	11/22/2019
Board of Trustees Approval Date:	03/12/2020
External Review Approval Date:	03/12/2020
Course Description:	This course continues the preparation of the paralegal student for the civil litigation process and focuses upon the federal and state rules of civil procedure which guide that process. Topics include discovery techniques and processes, trial preparation and procedures, and post-trial procedures including appeals. The hypothetical case from PARA C130 will continue to be used to understand the litigation process.
Submission Type:	Improvement to Program of Study
	This course is being removed from the program beginning Fall 2020. PARA C130 and C140 were offered in sequence and are being combined into one course PARA C130. However, students entering the program prior to Fall 2020 may still need to complete this course within the program. Therefore, the course description is being revised to reflect that change and give notice to students. The course would then be deactivated approximately Fall 2022. CATALOG NOTES to add: "Students starting the paralegal program beginning in Fall 2020 and those students that have not taken PARA C130 prior to Fall 2020 are not required to take this course." The course was assessed in Fall 2014 in the last program review cycle and is scheduled to be assessed next Fall 2021. No influence on the changes.

Faculty Minimum Qualifications

Master Discipline Preferred:	• Law
Alternate Master Discipline Preferred:	No value
Bachelors or Associates Discipline Preferred:	• Legal Assisting (Paralegal)
Additional Bachelors or Associates Discipline:	No value

Course Formerly Known As

Course Formerly Known As
No Value

Course Development Options

Basic Skills Status (CB08) (CB08) Course is not a basic skills course.	Course Special Class Status (CB13) (CB13) Course is not a special class.	Grade Options <ul style="list-style-type: none"> • Pass/No Pass • Letter Grade methods
<input type="checkbox"/> Allow Students to Gain Credit by Exam/Challenge	Allowed Number of Retakes 0	Course Prior to College Level (CB21) Not applicable.
Rationale For Credit By Exam/Challenge No value	Retake Policy Description Type: Non-Repeatable Credit	<input checked="" type="checkbox"/> Allow Students To Audit Course

Associated Programs

Course is part of a program (CB24)

Associated Program	Award Type
CC Paralegal Studies --	Certificate of Achievement
CC Paralegal Studies	A.S. Degree Major

Transferability & Gen. Ed. Options

Transferability Transferable to CSU only	Transferability Status Approved
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Units and Hours

Summary

Minimum Credit Units (CB07) (CB07)	3	Total Course In-Class (Contact) Hours	54	Total Student Learning Hours	162
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Maximum Credit Units (CB06) (CB06) 3 **Total Course Out-of-Class Hours** 108 **Faculty Load** -

Credit / Non-Credit Options

Course Credit Status (CB04) (CB04) Credit - Degree Applicable **Course Non Credit Category (CB22) (CB22)** Credit Course. **Non-Credit Characteristics** No value

Course Classification Code (CB11) (CB11) Credit Course. **Funding Agency Category (CB23) (CB23)** Not Applicable. Cooperative Work Experience Education Status (CB10) (CB10)

Variable Credit Course

Weekly Student Hours

	In Class	Out of Class
Lecture Hours	3	6
Lab Hours	-	-
Activity Hours	-	-

Course Student Hours

Course Duration (Weeks)	18
Hours per unit divisor	54
Course In-Class (Contact) Hours	
Lecture	54
Lab	-
Activity	-
Total	54
Course Out-Of-Class Hours	
Lecture	108
Lab	-
Activity	-
Total	108

Time Commitment Notes for Students

No value

Faculty Load

Extra Duty: - **Faculty Load:** -

Units and Hours - Weekly Specialty Hours

Activity Name	Type	In Class	Out of Class
No value	No value	No value	No value

Requisites

Prerequisite

PARAC130 - Civil Litigation and Procedure I

This course (PARA C140) is the second part to the two required courses and they must be taken in sequence. Additionally, in order to apply advanced concepts in civil litigation and procedure, students must understand the fundamental steps to a lawsuit and court procedural rules.

AND

Advisory

ENGLC101 - Freshman Composition

In this course, students must employ many of the skills covered in English 101 in order to prepare legal documents. Specifically, students will need to demonstrate college-level vocabulary and reading comprehension; critical reading; analysis and critique of complex material; synthesis of university-level sources; and proper documentation format.

Entrance Skills

Skill	Content Review
No value	No value

Limitations on Enrollment

Limitation	Provide Rationale
No value	No value

Specifications

Methods of Instruction	Methods of Instruction Rationale
Discussion	<p>The primary subject matter for discussion prompts for the online or on-ground classes will be the same.</p> <p>Online: Students will participate in weekly discussions. Students will post one individual initial posting per week and reply to a minimum of two classmates. The instructor will also participate in the board and student replies. For example, the instructor may rotate through one-half of the class each week to reply to all students equally throughout the course.</p>

Lecture	<p>On-ground: Students will participate in class discussions with the instructor or/and fellow students.</p> <p>Online: Lecture will be given via audio PowerPoint or instructor written lecture notes in line with the PowerPoint.</p> <p>On-ground: Face to face lecture using similar material for online.</p>
Written work	The students will complete weekly assignments from the textbook and those created by the instructor based upon the materials covered in the readings. Assignments will be similar for online and on-ground.
Instruction through examination or quizzing	Student will complete quizzes and examinations within the courses (online and on ground).

Assignments

- A. Reading - will include course textbook and selected readings within the discussions.
- B. Discussion, students and instructor interact On-Line in conjunction with legal readings of substantive and case law. Students are presented legal questions for research, comment, opinion, and discussion with other students/instructor.
- C. Examination (multiple choice, true and false, and short answer), Essay based on civil procedure research and case scenario evaluation. Short Answer Questions based on law application (procedural and substantive).
- D. Other assignments include homework and projects based upon weekly readings.

Methods of Evaluation	Methods of Evaluation Rationale
Tests	<p>Examination - Examination will be multiple-choice, matching, and/or short answer questions. Additional questions posted for student to write answers to case law evaluation, law application, or research into a hypothetical scenario. A sample multiple choice question could include: The amicus curiae brief is a _____ brief.</p> <ul style="list-style-type: none"> trial friend of the court reply None of these choices.
Homework	<p>The students will complete weekly assignments from the textbook and those created by the instructor based upon the materials covered in the readings. Assignments will be similar for online and on-ground. Sample homework assignment could include: For this week we are finishing our set of interrogatories to be served on the opposing party. You will need to review again the <i>Shoregate Raceway</i> case at the beginning of the chapter 10. Make sure you also review Fed. R. 26 & 33. Refer to the chapter project on pgs. 308-309 for details on the information your client wishes to gather through the use of interrogatories.</p> <p>By the end of last week, you should have completed the caption, introductory paragraph, definitions, and instructions in preparation for completing the questions this week. This week you must complete and come up with questions that are relevant to the case and information sought as described in the chapter project (pgs. 308-309).</p> <p>You must have a minimum of 10 questions but no more than are required by law. Remember each subpart to a question counts as its own separate question when determining the maximum number of questions allowed. For example questions:</p> <ul style="list-style-type: none"> 1 a. b. c. 2. 3.

<p>Participation</p> <p>Distance Education Description: how outcomes are evaluated</p>	<p>is a really a total of 5 questions for the grand total. The complete interrogatories (includes everything from last week and this week) are due by 11:59p.m. Sunday, September 13th.</p> <p>The primary subject matter for discussion prompts for the online or on-ground classes will be the same.</p> <p>Online: Students will participate in weekly discussions. Students will post one individual initial posting per week and reply to a minimum of two classmates. The instructor will also participate in the board and student replies. For example, the instructor may rotate through one-half of the class each week to reply to all students equally throughout the course.</p> <p>On-ground: Students will participate in class discussions with the instructor or/and fellow students.</p> <p>Assignments for the online course are in line and similar to the assignments that are offered on ground. The SLO's are assessed through rubric and objective assignments such as discussion boards, exams, and homework.</p>										
<p>Equipment</p> <p>No Value</p>											
<p>Textbooks</p> <table border="1"> <thead> <tr> <th data-bbox="138 1039 479 1123">Author</th> <th data-bbox="479 1039 820 1123">Title</th> <th data-bbox="820 1039 1047 1123">Publisher</th> <th data-bbox="1047 1039 1274 1123">Date</th> <th data-bbox="1274 1039 1477 1123">ISBN</th> </tr> </thead> <tbody> <tr> <td data-bbox="138 1123 479 1281">Kerley, P., Banker Hames, S., & Sukys, P</td> <td data-bbox="479 1123 820 1281">Civil Litigation, 8th</td> <td data-bbox="820 1123 1047 1281">Delmare Cengage</td> <td data-bbox="1047 1123 1274 1281">2018</td> <td data-bbox="1274 1123 1477 1281">ISBN-10: 1-337-79883-5 ISBN-13: 78-1-337-79883-9</td> </tr> </tbody> </table>	Author	Title	Publisher	Date	ISBN	Kerley, P., Banker Hames, S., & Sukys, P	Civil Litigation, 8th	Delmare Cengage	2018	ISBN-10: 1-337-79883-5 ISBN-13: 78-1-337-79883-9	
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<p>Other Instructional Materials</p> <p>No Value</p>											
<p>Materials Fee</p> <p>No</p>											

<p>Learning Outcomes and Objectives</p>
<p>Course Objectives</p>
<p>Understand the basic use of civil trial techniques and procedures, which includes pretrial preparation, trial preparation, and procedures during trial from voir dire to judgment.</p>

CSLOs

Outline the various civil trial techniques and procedures, including the paralegal's role at each stage.	Expected SLO Performance: 75.0
Distinguish between the discovery tools including their use in the discovery process and prepare a relevant document.	Expected SLO Performance: 75.0
Describe the various alternatives to litigation, including settlements and alternative dispute resolution (ADR).	Expected SLO Performance: 75.0
Describe the various post judgment procedures.	Expected SLO Performance: 75.0
Outline the appellate process.	Expected SLO Performance: 75.0

Outline**Outline**

- A. The Discovery Process
 - 1. Nature and Extent of Discovery
 - 2. Interrogatories
 - 3. Depositions
 - 4. Request to Produce
 - 5. Request to Admit
 - 6. Physical and Mental Examinations
 - 7. Ethical Duty of Supplement
 - 8. Electronically Stored Information (ESI)
 - 9. Keeping Track of Deadlines
 - 10. Sanctions and "Meet and Confer" Requirements
- B. Alternatives to Trial
 - 1. Settlement
 - 2. Alternative Dispute Resolution
 - a. Negotiations
 - b. Mediation
 - c. Arbitration
 - d. Court Ordered
 - e. Other Forms
 - 3. Consent Agreements
 - 4. Dismissal
 - 5. Motion for Summary Judgment
- C. Trial
 - 1. Trial Preparation and Pretrial Motions
 - 2. Voir Dire
 - 3. Opening Statements
 - 4. Presentation and Admission of Evidence
 - 5. Witnesses
 - 6. In Trial Motions
 - 7. Closing Argument
 - 8. Jury Instructions and Deliberation
 - 9. Post Trial Motions
 - 10. Distinctions for a Bench Trial or Trial to the Court (no jury)
- D. Judgments
 - 1. Collections
 - 2. Garnishment
 - 3. Liens

4. Motions
5. Contempt

E. Appellate Process

1. Notice of Appeal
2. The Appellate Briefs and Reply
3. Oral Arguments
4. Calculating Dates for filing

Delivery Methods

Delivery Method: Please list all that apply -Face to face -Online (purely online no face-to-face contact) -Online with some required face-to-face meetings ("Hybrid") -Online course with on ground testing -iTV – Interactive video = Face to face course with significant required activities in a distance modality -Other

- Face to face
- Online (purely online no face-to-face contact)
- Online with some required face-to-face meetings ("Hybrid")
- iTV – Interactive video = Face to face course with significant required activities in a distance modality

Rigor Statement: Assignments and evaluations should be of the same rigor as those used in the on-ground course. If they are not the same as those noted in the COR on the Methods of Evaluation and out-of-class assignments pages, indicate what the differences are and why they are being used. For instance, if labs, field trips, or site visits are required in the face to face section of this course, how will these requirements be met with the same rigor in the Distance Education section? Describe the ways in which instructor-student contact and student-student contact will be facilitated in the distance ed environments.

All paper assignments are identical to those in an onsite class except that they are submitted by "submission box" within the Learning Management System (LMS). Weekly class discussions are conducted by means of online weekly discussion forums within the LMS. Quizzes and exams will also be uploaded to the LMS and the student will take the quiz/exam through the LMS platform, however, content will be identical to any on-site courses. The instructor is responsible for providing feedback to the discussion within the discussions each week and also through grading feedback. Some instructors use rubrics, which are also stated in the syllabus, to grade course work and discussion forums but rubrics are not required and the need will vary by assignment. Objective answers would not require a rubric. Outcomes are assessed. See Methods of Evaluation.

Faculty maintains regular and effective contact with students online through participation in discussion board forums, course announcements, annotated feedback comments on graded assignments, office hours, and responding to student inquiries via email, "ask the instructor" forum, phone or Zoom video conferencing.

Students have regular contact with each other through the required weekly discussion boards. The students are required to post an initial response each week and reply to a minimum of two of their classmates. Students can also communicate with each other through email or LMS Inbox.

Good practice requires both asynchronous and synchronous contact for effective contact. List the methods expected of all instructors teaching the course. -Learning Management System -Discussion Forums -Message -Other Contact - Chat/Instant Messaging -E-mail -Face-to-face meeting(s) -Newsgroup/Discussion Board -Proctored Exam -Telephone -iTV - Interactive Video -Other

- Discussion Forums
- Message
- E-mail
- Face-to-face meeting(s)

- Newsgroup/Discussion Board
- Telephone
- iTV - Interactive Video

Software and Equipment: What additional software or hardware, if any, is required for this course purely because of its delivery mode? How is technical support to be provided?

Any needed software can be downloaded for free such as Microsoft office through student account or Adobe Acrobat free version. Students can contact campus IT, instructor or company for assistance. Additional software subscriptions would be included with the textbook.

Accessibility: Section 508 of the Rehabilitation Act requires access to the Federal government's electronic and information technology. The law covers all types of electronic and information technology in the Federal sector and is not limited to assistive technologies used by people with disabilities. It applies to all Federal agencies when they develop, procure, maintain, or use such technology. Federal agencies must ensure that this technology is accessible to employees and the public to the extent it does not pose an "undue burden". I am using -iTV—Interactive Video only -Learning management system -Publisher course with learning management system interface.

- iTV—Interactive Video only
- Learning management system
- Publisher course with learning management system interface.

Class Size: Good practice is that section size should be no greater in distance ed modes than in regular face-to-face versions of the course. Will the recommended section size be lower than in on-ground sections? If so, explain why.

Same for onground as online.