

PARAC210 : California Civil Procedure and Legal Forms

General Information

Author:	<ul style="list-style-type: none">• Dawn Ward• Vitale, Laura• Meehan, Barbara
Course Code (CB01) :	PARAC210
Course Title (CB02) :	California Civil Procedure and Legal Forms
Department:	Business Information Technolog
Proposal Start:	Fall 2019
TOP Code (CB03) :	(1402.00) Paralegal
SAM Code (CB09) :	Advanced Occupational
Distance Education Approved:	Yes
Course Control Number (CB00) :	CCC000526529
Curriculum Committee Approval Date:	10/28/2016
Board of Trustees Approval Date:	12/15/2016
External Review Approval Date:	07/22/2011
Course Description:	<p>This course prepares the paralegal student for the California civil litigation process and focuses on the California Code of Civil Procedure which guides that process. Topics include the steps involved in beginning a civil lawsuit including investigation, filing the complaint, responsive pleadings, various motions, discovery techniques and processes, trial preparation and procedures, post-trial procedures, and judgments. The course will focus on the use of the latest California legal forms available through legal form software CD or online California court websites and drafting legal documents when forms are not mandatory.</p>
Submission Type:	<p>Change to Content</p> <p>Revision of course title and description to align with the purpose of creating the course for the program and needs expressed through the advisory committee. Removal of "Federal" from the title and description. Correction of PARA C130 and C140 from prerequisites to advisory. Update course outline. Update SLO's for clarification and deletion of repetitious SLO.</p>
Author:	No value

Faculty Minimum Qualifications

Master Discipline Preferred:	<ul style="list-style-type: none">• Law
Alternate Master Discipline Preferred:	No value
Bachelors or Associates Discipline Preferred:	<ul style="list-style-type: none">• Legal Assisting (Paralegal)
Additional Bachelors or Associates Discipline Preferred:	No value

Course Development Options

Basic Skills Status (CB08)

Course is not a basic skills course.

Allow Students to Gain Credit by Exam/Challenge

Rationale For Credit By Exam/Challenge

No value

Course Support Course Status (CB26)

No value

Course Special Class Status (CB13)

Course is not a special class.

Allowed Number of Retakes

0

Retake Policy Description

Type:|Non-Repeatable Credit

Grade Options

- Letter Grade Methods
- Pass/No Pass

Course Prior To College Level (CB21)

Not applicable.

Allow Students To Audit Course

Associated Programs

Course is part of a program (CB24)

Associated Program

Award Type

Active

CC Paralegal Studies

A.S. Degree Major

Summer 2018 to Fall 2020

Paralegal Studies

Certificate of Achievement

Summer 2018 to Fall 2020

Paralegal Studies Associate in Science Degree

A.S. Degree Major

Fall 2020

Paralegal Studies Certificate of Achievement

Certificate of Achievement

Fall 2020

Transferability & Gen. Ed. Options

Course General Education Status (CB25)

No value

Transferability

Transferable to CSU only

Transferability Status

Approved

Units and Hours

Summary

Minimum Credit Units (CB07)	3
Maximum Credit Units (CB06)	3
Total Course In-Class (Contact) Hours	54
Total Course Out-of-Class Hours	108
Total Student Learning Hours	162
Faculty Load	0

Credit / Non-Credit Options

Course Credit Status (CB04)

Credit - Degree Applicable

Course Non Credit Category (CB22)

Credit Course.

Non-Credit Characteristic

No Value

Course Classification Status (CB11)

Credit Course.

Variable Credit Course

Funding Agency Category (CB23)

Not Applicable.

Cooperative Work Experience Education Status (CB10)

Weekly Student Hours

	In Class	Out of Class
Lecture Hours	3	6
Laboratory Hours	0	0
Activity Hours	0	0

Course Student Hours

Course Duration (Weeks)	18
Hours per unit divisor	54
Course In-Class (Contact) Hours	
Lecture	54
Laboratory	0
Activity	0
Total	54

Course Out-of-Class Hours

Lecture	108
Laboratory	0
Activity	0
Total	108

Time Commitment Notes for Students

No value

Faculty Load

Extra Duties: 0

Faculty Load: 0

Units and Hours - Weekly Specialty Hours

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

Pre-requisites, Co-requisites, Anti-requisites and Advisories

Advisory

PARAC140 - Civil Litigation & Procedure II

This course continues the preparation of the paralegal student for the litigation process and the rules that guide that process. Advanced topics include motions, alternative dispute resolution, appeals and judgments. Students also learn basic the procedures of a civil case in the state of California.

AND

Advisory

PARAC130 - Civil Litigation and Procedure I

This course prepares the paralegal student for the litigation process and the rules that guide that process. Students learn the steps involved in bringing a civil suit to trial and the development of the case to the appellate process. Students examine the process of discovery and the preparation of a pleading.

AND

Advisory

PARAC112 - Legal Research & Writing I

The student should know basic legal research to locate forms and applicable sections of the California Code of Civil Procedure.

Entrance Skills

Entrance Skills	Description
No value	No value

Limitations on Enrollment

Limitations on Enrollment	Description
No value	No value

Specifications

Methods of Instruction

Methods of Instruction Written work

Rationale 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.

Methods of Instruction Lecture

Rationale Online: Lecture will be given via audio PowerPoint or instructor written lecture notes in line with the PowerPoint.

On-ground: Face to face lecture using similar material for online.

Methods of Instruction Instruction through examination or quizzing

Rationale Student will complete quizzes and examinations within the courses (online and on ground).

Methods of Instruction Discussion

Rationale The primary subject matter for discussion prompts for the online or on-ground classes will be the same.

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.

On-ground: Students will participate in class discussions with the instructor or/and fellow students.

Assignments

A. Reading: Read from text and assigned case law to understand a court action.

B. Research: Locate and evaluate assigned court cases for understanding of legal case and search court websites for correct pleading forms.

C. Homework. 1. Student will follow a hypothetical personal injury case and prepare appropriate pleading forms to be filed with a hypothetical court for hypothetical clients. i. Select and prepare proper forms for legal process and fill in with hypothetical client's information. ii. Prepare service of process on opposing party and summons. Specific related assignment listed below: Drafting the Complaint and Accompanying Forms: Review our case example on page vii for the facts and party information. The attorney you work for has tasked you with preparing the complaint and everything (except the service of process documents at this point) that need to be filed along with the complaint for your client, Fred A. Wronged. The attorney has also instructed you that you are to use the online court forms for all applicable pleadings. He has given you the Defendant's address scribbled in his notes as: " James A. Wrongdoer, 555 S. Main St., Bakersfield, Ca". Your client lives in Lancaster, Ca. You must determine proper venue and jurisdiction for filing and forms. When making this determination remember to consider not only which court is proper but also which may be more convenient (and familiar) to the attorney, the client, and possibly the Defendant. Review again the case example on page vii for the facts and party information. You may use "Joe Lawyer" in the readings as your attorney or make up your own firm and attorney. Just make sure you provide all necessary information. For purposes of grading, include a cover sheet (as you would for an essay) to your packet with your name and information. You must prepare and submit your complaint packet by [time and date]. For most of the forms you will be able to find them at <http://www.courts.ca.gov/forms.htm>. Make

sure you download the form and to complete the form then go to "file" then "save as" to save to your computer for submission of the packet.
 D. Exams and quizzes: Students will complete multiple choice and short answer exams and quizzes that will be graded objectively.

Methods of Evaluation

Rationale

Final Exam

Final examination

Tests

Midterm examinations

Homework

Case analysis - The student will evaluate hypothetical cases identifying the forms, information necessary for the form, and proper filing time lines identified for a court action.

Participation

Class discussion participation and activities evaluating hypothetical client information, client action evaluated, and proper form processing for court submission, review of hypothetical returned court forms to identify corrections for resubmission.

Sample assignment for class discussion:

Discussion Week Six

The Defendant Responds

Last week we dealt with what happens when a Defendant does not respond or show up for hearings. This week we are switching sides, so to speak, to draft the answer and counter-claims. The assignment instructions give you several facts from the Defendant's point of view, as part of those facts Defendant alleges that Plaintiff did not use his turn signal and pulled out of a no parking zone. Defendant further contends that he was not speeding. Basically, the Defendant has turned the blame around onto the Plaintiff and is seeking damages.

Fred Wronged comes in to meet with the attorney and discuss the pleadings you have received from the Defendant. After the meeting with the attorney, you see Fred cursing the Defendant and calling him a liar as he storms out of the office. Fred sits near you in a huff and continues to mumble and curse while he waits for the attorney to prepare something for him to sign.

What steps would you take to help Fred calm down?

Would those steps change if other clients were within hearing distance of Fred's mumbles and your conversation?

Post your initial response by 11:59p.m. Thursday, October 1st. You must reply to a minimum of two classmates by 11:59p.m. Sunday, October 4th.

Distance Education Description: how outcomes are evaluated

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.

Equipment

No Value

Textbooks

Author

Title

Publisher

Date

ISBN

Maerowitz, M. & Mauet, T..
 (2017) Fundamental of California
 Litigation for Paralegals, 6th Ed.,
 Wolters Kluwer Law & Business
 in New York, Aspen Publishers

Other Instructional Materials

Description

California Courts website for access to up to date court forms/pleadings and specific court procedures. For example, <http://www.courts.ca.gov/forms.htm>

Author

Citation

No value

Materials Fee

No

Learning Outcomes and Objectives

Course Objectives

Identify the proper Complaint Form, Responsive pleading including demurrer, and Judgment Form to be filed in a case.

Identify the additional cover sheet or attachments that must be filed with the selected form(s).

Identify a case as small claims, limited, or unlimited for selecting proper jurisdiction and venue.

Identify proper filing jurisdiction and venue for other actions such as family law, probate (includes wills or adoptions), or other areas of law.

Understand basic trial preparation and procedures.

CSLOs

Identify the proper legal form for the action filed in the California court system.

Expected SLO Performance: 75.0

Produce the proper form for a legal action by completeing all applicable sections for proper submission to the court.

Expected SLO Performance: 75.0

Outline the California Civil Procedure process from complaint to judgment, including the selection of proper jurisdiction and venue for filing.

Expected SLO Performance: 75.0

Outline

Course Outline

- 1.Litigation in General
 - a. California Court System - Jurisdiction and Venue
 - b. Preparation of Legal Documents
 - i. Complaints; Answers; and Cross-claims
 - ii. Motions and Demurrers
 - iii. Discovery documents
 - iv. Judgments
 - c. Evidence and Discovery Procedures
 - d. General Filing Procedures

- e. e-filing
 - f. Computation of Times
 - g. Provisional Remedies
 - h. Hearings and Conferences
 - i. Terminology and Forms
 - J. Roles of Paralegals and Legal Document Assistants
2. Civil Trial and Post-Trial Proceedings
 - a. Trial Procedures and Judgment
 - b. Post Judgment Procedures and Motions
 - c. Appeals
 - d. Terminology and Forms
 3. General Civil Matters
 - a. Unlimited v. Limited Cases
 - b. Service of Process
 - c. Default
 - d. Special Pleadings
 - e. Mandatory v. Optional Forms
 - f. Selecting Proper Forms
 - g. Required Format for Drafting Documents (when no form exists)
 - h. California Distinctions
 - i. Overview of the California Evidence Code
 4. Family Law
 - a. Dissolution of Marriage (procedures in general)
 - b. Terminology and Forms
 5. Landlord/Tenant
 - a. Unlawful Detainer
 - b. Terminology and Forms
 6. Adoption
 - a. Adoption Procedures in General
 - b. Terminology and Forms
 7. General Information
 - a. Using the Court's Website
 - b. Downloading and Saving Forms
 - c. Reviewing Self-Help Information

Delivery Methods and Distance Education

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 2 Face
 Online
 Hybrid
 Interactive

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?

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.

Effective Student-Instructor Contact: 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 -Moodle Message -Other Contact -Chat/Instant Messaging -E-mail -Face-to-face meeting(s) -Newsgroup/Discussion Board -Proctored Exam -Telephone -iTV -Interactive Video -Other (specify)

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 Canvas Inbox.

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.

An accessibility check is run within the learning management system. Documents that are uploaded are checked for accessibility.

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.

Section size is the same on-ground or online.