

**SAN DIEGO COMMUNITY COLLEGE DISTRICT
CITY, AND MIRAMAR COLLEGES
ASSOCIATE DEGREE COURSE OUTLINE**

SECTION I

SUBJECT AREA AND COURSE NUMBER: Legal Assistant 115

COURSE TITLE: Civil Litigation I

Units: 3
Grade Only

CATALOG COURSE DESCRIPTION:

This core class introduces paralegal students to the civil litigation process. Students learn, analyze, and examine the basic principles of civil procedures as applicable to jurisdiction, venue, and preparation of pleadings in an action by both plaintiffs and defendants in the California court system.

REQUISITES:

Advisory: Completion of or concurrent enrollment in:

LEGL 105 with a grade of "C" or better, or equivalent

or

LEGL 110 with a grade of "C" or better, or equivalent

Limitation on Enrollment:

This course is not open to students with previous credit for ADJU 109 or BUSE 183

FIELD TRIP REQUIREMENTS: May be required

TRANSFER APPLICABILITY: Associate Degree Credit & transfer to CSU and/or private colleges and universities

TOTAL LECTURE HOURS: 48 - 54

TOTAL LAB HOURS:

STUDENT LEARNING OBJECTIVES:

Upon successful completion of the course the student will be able to:

1. Diagram the process for preparing a case from inception through appeal, to include trial procedures
2. Differentiate subject matter and personal jurisdiction
3. Identify and distinguish venue from jurisdiction
4. Prepare pleadings in civil litigation
5. Identify and evaluate the basic principles underlying defaults and default judgments
6. Comprehend and analyze cases
7. Assess the purpose of client interviews
8. Investigate and determine the legitimacy of client claims
9. Draft pleadings, including complaints and answers.

SECTION II

1. COURSE OUTLINE AND SCOPE:

A. Outline Of Topics:

The following topics are included in the framework of the course but are not intended as limits on content. The order of presentation and relative emphasis will vary with each instructor.

- I. Litigation overview
 - A. The sources of procedural requirements
 - B. The litigation process
 - C. Types of paralegal employers
 - D. Role of litigation paralegal
- II. Ethics in Litigation
 - A. Rules of Professional Conduct
 - B. Unauthorized Practice
 - C. Advertising and Solicitation
 - D. Relationships between attorneys
 - E. Relationships between client and attorney
 - F. Terminating the client relationship
 - G. Financial relationships with clients
- III. Initiating the client relationship
 - A. Initial contact
 - B. Initial interview
 - C. Ethics of each prospective case
 - D. Undertaking representation
- IV. Investigate the merits of a case
 - A. Understanding the basics of investigation.
 - B. Organizing a successful investigation
 - C. Conducting the investigation
 - D. Identifying evidence
 - E. Developing and preserving evidence
- V. Federal and state courts
 - A. Substantive versus procedural laws
 - B. Federal courts
 - C. California state courts, including municipal and superior courts
- VI. Subject matter jurisdiction
 - A. Subject matter jurisdiction in federal courts
 - B. Diversity jurisdiction
 - C. Federal and state subject matter jurisdiction compared
 - D. Subject matter jurisdiction in California state courts
- VII. Personal jurisdiction
 - A. Types of personal jurisdiction, including in
- VIII. personam and in rem jurisdiction
 - A. General and limited jurisdiction
 - B. Challenging personal jurisdiction
 - C. Venue
- IX. Introduction to Pleadings
 - A. Causes of action
 - B. Types of pleadings
 - C. Affirmative claims for relief by defendants
 - D. Real parties in interest
 - E. Capacity
 - F. Joinder
- X. Complaints and cross-complaints
 - A. Complaints in state courts
 - B. Alleging allegations
 - C. Service of summons
 - D. Pleading in federal courts
 - E. Cross-complaints
- XI. Answering the complaint
 - A. Answering a state court complaint, including denials and affirmative defenses

- B. Forms of answers in state courts, including general denials.
- XII. Attacking the Pleadings
 - A. Attacking pleadings in state court
 - B. Demurrers and motions to strike.
 - C. Attacking the pleadings in federal court

B. Reading Assignments:

Reading assignments are required and may include but, are not limited to, the following:

- I. 1. Assigned textbook.
- II. 2. Selected readings from California Codes of Civil Procedures, Federal Rules of Civil Procedure, and California Rules of Court.

C. Appropriate Assignments that Demonstrate Critical Thinking:

Critical thinking assignments are required and may include, but are not limited to, the following:

- I. 1. Analyzing case and statutory law as applied to civil
- II. litigation.
- III. 2. Preparing written communications that validate the
- IV. legitimacy of client claims.
- V. 3. Drafting questions for interrogatories.
- VI. 4. Summarizing and evaluating, in writing, the process for
- VII. preparing a civil case for trial.

D. Appropriate Outside Assignments:

Outside assignments may include, but are not limited to, the following:

- I. 1. Researching civil procedures at local law libraries
- II. 2. Meeting with team members outside of class
- III. 3. Interviewing attorneys or paralegals
- IV. 4. Visiting to the courthouse to review filed documents.

E. Writing Assignments:

Writing assignments are required and may include, but are not limited to, the following:

- I. 1. Drafting complaints and answers.
- II. 2. Preparing questions for interrogatories.
- III. 3. Drafting motions pertaining to civil cases.
- IV. 4. Composing essays on trial procedures.

2. METHODS OF EVALUATION:

A student's grade will be based on multiple measures of performance unless the course requires no grade. Multiple measures may include, but are not limited to, the following:

- I. Participation in collaborative group activities. Peer evaluation of selected written work Short response quizzes Objective examinations that test reading, analysis, and
- II. evaluation Essay examinations.

3. METHODS OF INSTRUCTION:

Methods of instruction may include, but are not limited to, the following:

- * Lecture
- * Lecture Discussion
- * Computer Assisted Instruction
- * Discussion Seminar
- * Collaborative Learning

- * Distance Education
- * Distance Education

4. REQUIRED TEXTS AND SUPPLIES:

Textbooks may include, but are not limited to:

TEXTBOOKS:

1. LUTEN. California Civil Litigation, 3rd ed. West Publ. Co., 1997,
2. MCBS. (DEKOVEN)(PAC1440) LITIGATION I, 1st ed. PACKET, 2001,

MANUALS:

PERIODICALS:

SOFTWARE:

SUPPLIES:

ORIGINATOR: Terry Truitt

ORIGINATION DATE: 06/27/1989

PROPOSAL ORIGINATOR: Helen Webb

CO-CONTRIBUTOR(S)

PROPOSAL DATE: 05/06/2002