

CASPER COLLEGE COURSE SYLLABUS

Course Number and Title: LEGL 2500 Civil Procedure (41897)

Semester: Fall 2015

Lecture Hours: 3

Lab Hours: 0

Credit Hours: 3

Class Time: 11:00 a.m. – 1:45 p.m.

Day: T **Bldg./Room:** LH 172

Instructor's Name: Mary Kubichek

Instructor's Office Number: LH 175

Phone: 268-2618

(Home) 577-0720

(Fax) 268-3024

* Please call at home between 7:00 p.m. – 9:00 p.m.
and on weekends between 10:00 a.m. – 7:00 p.m.

Please leave a message.

Academic Assistant: Crystal Sosalla – 268-2368

Office Hours: MTWTH 9-11 a.m. and other hours by appointment.

E-Mail: kubichek@caspercollege.edu

Course Description: This course uses the Federal Rules of Civil Procedure and the Wyoming Rules of Civil Procedure to teach service of process, filing, discovery, and includes the drafting of pleadings and discovery documents, digesting depositions, compiling a medical chronology and case management skills.

Statement of Prerequisites: LEGL 1610, Paralegalism I is a prerequisite for this class or Permission of the Instructor.

Goals: By the end of the semester, students will demonstrate competency in legal vocabulary, the rules of Civil Procedure, be able to draft a medical chronology, draft pleadings, draft discovery documents, digest documents, construct a discovery notebook and demonstrate software competencies.

Computer Competencies Requirement: Students must complete 3 hours of the current Word program. If students take it through the Flexlab, they must take the first modual during their first semester.

Outcomes: Students will demonstrate an understanding of FRCP 1-37 and WRCP 1-37, draft pleadings, draft discovery documents, complete a medical chronology, organize discovery documents and demonstrate software competencies. Students will be given rubrics and samples for all assignments. Students should have an 80% average on all assignments.

General Education Outcomes:

1. Demonstrate effective oral and written communication.
 - Students will present oral briefs on jurisdiction issues.
 - Students will draft a complaint, answer and impleader on a negligence case.
 - Students will complete a medical chronology.
 - Students will complete a discovery notebook which will illustrate their case management skills.
 - Students will digest depositions using topical and chronological formats.
3. Solve problems using critical thinking and creativity.
 - Students will interview clients in Casper College Legal Services and draft work product under the supervision of an attorney.
 - Students will draft pleadings using the facts in Billings v. Pearson and the Wyoming Rules of Civil Procedure.
4. Demonstrate knowledge of diverse cultures and historical perspectives.
 - Students will read the pleadings, historic articles, regarding Civil Action and complete legal assignments regarding the discovery issues and toxic tort issues in that case.
6. Use appropriate technology and information to conduct research.
 - Students will demonstrate their technology skills by completing the exercises in the Goldman text and online classroom regarding spreadsheets, case organization and management software, e-discovery computer applications.
7. Describe the value of personal, civic and social responsibilities.
 - Students will interview clients in Casper College Legal Services and draft work product under the supervision of an attorney.

Methodology: Students will meet these outcomes by passing vocabulary and substantive tests, drafting pleadings and discovery documents, completing a medical chronology, organizing discovery documents and demonstrating software competencies.

Reading Assignments: All assignments on the syllabus are required reading.

Required Texts: (You will use these books in Litigation Support and other classes.)

Fundamentals of Litigation for Paralegals, by Maerowitz & Mauet, Eighth Edition, Federal Rules of Civil Procedure, Current Edition, Top Ten Rules for Paralegals, Second Edition by Deborah K. Orlick, Billings v. Pearson will be presented in Class, The Power of Procedure, The Litigation of Jones v. Clinton, by Hunter (You may borrow this from the classroom), Civil Litigation: A Case Study, by R. Pierce Kelley (You may borrow this from the classroom), Trial Prep for Paralegals, by Coyne & Ursula Funperry.

*Do not sell back your books because you need them throughout the program. Do not rent books either because they time out. Digital books do not provide enough options.

Suggested Resource: Pocket Guide to Legal Writing by William H. Putman.

Preparation: You should come to class prepared to discuss the assigned reading material. Everyone in class will have a better experience if you come to class ready to participate in the class discussion. You may not makeup participation points.

In class: While you are in class, this means from the top of the hour until the break and the end of class, online and similar activities such as texting, Facebook interactions, YouTube viewing, etc. is strictly forbidden. Accessing the internet for any purpose other than one assigned by the instructor will result in a request that you leave the classroom.

Technology: During class, you are not to use laptops to play games, surf the web, email, text or other uses unrelated to class. In addition, please remember that if you use your laptop inappropriately, it may serve as a distraction to everyone around you. You are not to make or take calls unless there is an emergency. Inform the instructor if you have an emergency. Tell your family, friends and employers they are not to call you during class. You will be asked to leave class for disturbing your classmates.

Social Network Policy: You may not use any social network, facebook, twitter, email, etc. to disparage the college, the program, the instructors, your classmates, other legal professionals, etc. Violating this policy will result in a negative job recommendation and other penalties such as failing the class and being dismissed from the program. The program will randomly check whether your email address, your ringtone, your voicemail and facebook page etc. to determine if they are professional. Take off everything that you don't want an employer to hear or see. This policy applies whether you use campus or personal devices.

Taping Policy: You may not videotape the class. If you need to audio tape the class you must receive permission **from the instructor and the class**. You may only use the tape for your personal studying. You may not share it with anyone or online. If you violate this policy you will be removed from class and may face campus discipline.

Class Policies:

- **Plagiarism will be punished with an “F” for the assignment. You are not to “borrow or lend” any writing assignment from another student or FORMER student or any other source. Other unethical conduct will receive appropriate equitable penalties. Keys must not be shared.**
- **You may not team write an individual assignment.**
- **You must NOT visit with other students while the instructor, another student or a guest speaker is talking.**

- **You may not make inappropriate nonverbal comments.**
- **You must NOT pack up before the class is dismissed.**
- **Tests and quizzes with excused absences may only be made up at the time the instructor approves.**
- **Absences will be excused with prior approval. You must leave a message before class. You may call me at home, at work or you may call our Academic Assistant. You may also email.**
- **Do not schedule personal discretionary appointments during class time.**
- **Unless these policies are followed, you will not be able to make up missed work.**
- **You are responsible for missed work.**
- **My office hours are posted on my door and inside and outside of LH 172. You are encouraged to come in, ask questions, seek clarification of assignments or other issues. For your convenience, I encourage you to make an appointment so you will have my undivided attention.**
- **Your performance in the program will be enhanced if your materials are organized. Three ring notebooks, dividers, assorted tabs, highlighters and multicolored pens will assist you.**
- **All work, unless exempted, must be computer generated. All assignments must be saved on a flash drive.**
- **All work must be in 12 or 14 font in Times New Roman or Calibri.**
- **Learning is a cooperative activity. Civility, respect, tolerance and kindness to your classmates, instructor, guest speakers and staff is required in this class, this program and life. YOU CANNOT VENT ON SOCIAL MEDIA ABOUT THIS PROGRAM.**
- **If you come in late, please do so quietly and sit in the back.**
- **Finding a parking spot is difficult so arrive early.**
- **If you must leave class early, please sit in the back and notify the instructor of the reason.**
- **This program is conducted as a job. You must treat it as such.**
- **You must sign a FERPA release in order to receive a job recommendation.**
- **If you change from credit to audit status, you must have the written approval of the instructor.**
- **Extra credit will never be substituted for an assignment.**
- **Midterm grades do not predict your final grade.**
- **You must be prepared to work in class. This is not a lecture only program.**
- **Assignments will be modified in class, especially internet assignments.**
- **Any excused work, tests, etc. must be made up by November 19th at 11:00 a.m.**

Internet Use: You may not turn in an internet version for an oral or written brief or any assignment. If you do go online, you must attach a copy of everything you looked at. I have copies of what is available online.

Last Date to Change to Audit Status or Withdraw with a W Grade: November 12, 2015.

Students Rights and Responsibilities: Please refer to the Casper College Student Conduct and Judicial Code for information concerning your rights and responsibilities as a Casper College Student. These are in the Day Timer provided by the College.

Chain of Command: If you have any problems with this class, you must first contact the instructor in order to solve the problem. If you are not satisfied with the solution offered by the instructor, you should then take your problem through the appropriate chain of command, starting with the Department Head, Program Director, the Dean and lastly the Vice President of Academic Affairs.

First Drafts: I will only grade first drafts with your participation. You must set up a meeting with me and bring your first draft.

Academic Dishonesty – Cheating and Plagiarism: Casper College demands intellectual honesty. Proven plagiarism or any form of dishonesty associated with the academic process can result in the offender failing the course in which the offense was committed or expulsion from school. See the Casper College Student Code of Conduct for more information on this topic.

ADA Accommodations Policy: If you need academic accommodations because of a disability, please inform me as soon as possible. See me privately after class, or during my office hours. To request academic accommodations, students must first consult with the college's Disability Services Counselor located in the Gateway Building, Room 334, (307) 268-2557, bheuer@caspercollege.edu. The Disability Services Counselor is responsible for reviewing documentation provided by students requesting accommodations, determining eligibility for accommodations, and helping students request and use appropriate accommodations.

Official Means of Communication: Casper College faculty and staff will use the student's assigned Casper College email account as a primary method of communication. Students are responsible to check their account regularly.

Employment Opportunities: Your employment potential will be enhanced by networking, working or interning. Graduating from the program does not guarantee you a job. If you have a criminal conviction or have engaged in inappropriate social networking you may have a difficult time getting a traditional job.

Professional Memberships: You are encouraged to become a student member of LAW. You will receive applications in class. You should be a member by your second semester in the program. The first year costs is \$30.00, the following years as a student are \$25.00. If you need financial help, see me.

Service Requirement: You must provide paralegal services to Casper College Legal Services clients and participate in service learning in a mock trial in your Litigation Support class. In Casper College Legal Services, when assisting your first clients, you will shadow an experienced paralegal.

Laptop: If you have a laptop, bring it to classes when required. The classroom is not wireless. The library has laptops that can be checked out. You may bring your laptop to class for school use only.

Flash-drive: You must have your flash-drive with you in each class. You may want a second one for back up. Always put your name on them.

Test: You may not use the internet for in-class open book tests.

To be an effective paralegal and a successful paralegal student:

- You **MUST** be precise.
- You **MUST** proof your work many times.
- You **MUST** rewrite.
- You **MUST** pay attention to detail.
- You **MUST** maintain client confidentiality.
- You **MUST NOT give legal advice.**

Letter grades will be based on the following percentages of total possible points:

A=90%-100%

B=80%-89%

C=70%-79%

D=60%-69%

F=59% and below

EVALUATION CRITERIA

(These assignments are subject to change according to the instructor's notice.)

*Casper College may collect samples of student work demonstrating achievement of the above outcomes. Any personally identifying information will be removed from student work.

Assignments	Maximum Points	Your Points
<i>Vocabulary Quizzes</i>		
Vocab #1	_____	_____
Vocab #2	_____	_____
Vocab #3	_____	_____
Vocab #4	_____	_____
Vocab #5	_____	_____
Vocab #6	_____	_____
Vocab #7	_____	_____
Vocab #8	_____	_____
<i>Orlick Concepts – 10 Points</i>		
Chapter 5	_____	_____
Chapter 7	_____	_____
Chapter 9	_____	_____
<i>Hunter Chapters - Worksheets</i>		
Chapter 1	_____	_____
Chapter 2	_____	_____
Chapter 6	_____	_____
Chapter 7	_____	_____
Chapter 8	_____	_____
Chapter 9	_____	_____
<i>Kelley Chapters - Worksheets</i>		
Chapter 1	_____	_____
Chapter 2	_____	_____
Chapter 3	_____	_____
Chapter 4	_____	_____
Chapter 5	_____	_____
Chapter 7	_____	_____
<i>M&M Chapters - Worksheets</i>		
Chapter 1	_____	_____
Chapter 2	_____	_____
Chapter 3	_____	_____
Chapter 4	_____	_____
Chapter 5	_____	_____
Chapter 10	_____	_____
Chapter 15	_____	_____
Internet Assignment from M&M	_____	_____
<i>Coyne, Furi-Perry (C.F.P.) – 10 Points</i>		
Chapter 4	_____	_____

Chapter 6	_____	_____
Chapter 7	_____	_____
Chapter 15	_____	_____
Chapter 16	_____	_____
Chapter 18	_____	_____
Test # 1	_____	_____
Test #2	_____	_____
Jurisdiction Brief	_____	_____
Civil Action Internet Assignment	_____	_____
Civil Action Differences Between Movie and Reality	_____	_____
Complaint	_____	_____
Answer	_____	_____
Interpleader	_____	_____
WRCP	_____	_____
Discovery Notebook	_____	_____
Medical Chronology	_____	_____
Deposition Digest	_____	_____
Computer Software Assignments		
Goldman Exercises	_____	_____
Participation Points (These cannot be made up)	_____	_____
Casper College Legal Services Points	_____	_____
Uniform Rules for District Court	_____	_____
Federal District Court Rules	_____	_____

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Tuesday August 25 th	<ul style="list-style-type: none"> • Federal and State Court Jurisdiction • Jurisdiction Briefs • Hypothetical Cases • Advisory Opinions • Res Judicata • Vocabulary • Civil Action • Local Rules • Forms • FRCP • Jurisdiction Movies 	<ul style="list-style-type: none"> • Explanation of Court • Review of the Federal Court System • Review of the Trial Process • Jurisdiction Movies & Briefs • FRCP Forms in Book • Introduction of Civil Action • Vocab list • Distribute books • <u>Erie</u> Reader's Theater 	<ul style="list-style-type: none"> • M&M pages 455-495 • Worksheets M&M Ch. 1, 2, 3, 4, 5 & 1 • M&M Internet Questions (Ch. 1 #2, Ch. 2 #3, Ch. 3 #3, Ch. 4 #5, Ch. 5 #3) • Hunter Ch. 1 & 2 • Kelley Ch. 1, 2, 3 – attention to pg. 5 • Jurisdiction Brief • Civil Action Worksheet • Civil Action Internet Assignment • Civil Action Differences Between Movie & Reality • Vocab #1 • FRCP 1-12 • M&M Pages 463-505 	
Tuesday Sept. 1 st	<ul style="list-style-type: none"> • Civil Action • Jurisdiction Briefs 	<ul style="list-style-type: none"> • Civil Action 	<ul style="list-style-type: none"> • Vocab # 2 • Ch. 15, 16 & 18 – 10 pts. each C.F.P. • W.R.C.P. • Uniform Rules of District Court (20 Points) 	<ul style="list-style-type: none"> • Vocab # 1 • M&M Worksheets 1, 2, 3, 4, 5 • Jurisdiction Briefs
Tuesday Sept. 8 th	<ul style="list-style-type: none"> • Summons, Complaint, Service, Answers 	<ul style="list-style-type: none"> • CP Review – Crossword Puzzle • Civil Action 	<ul style="list-style-type: none"> • Vocab # 3 • Orlick Chapters 5, 7 & 9 (10 pts. each) • Federal District Court Rules – 20 points • FRCP 1-12 	<ul style="list-style-type: none"> • Vocab # 2 • C.F.P. Ch. 15, 16 & 18
Monday Sept. 14 th	LAW LUNCH 12:30 – 1:30 * You will get extra credit unless you are in Paralegal I or Legal Analysis			

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Tuesday Sept. 15 th	<ul style="list-style-type: none"> • Pleadings 	<ul style="list-style-type: none"> • Civil Action • Review • Discovery Notebook • Notary Public • Review Ch. 5 M&M • FRCP 1-12 	<ul style="list-style-type: none"> • Complaint, Answer & Interpleader • Vocab # 4 • Discovery Notebook – See Ch. 2 & 3 in M&M for Proof Chart 	<ul style="list-style-type: none"> • Vocab # 3 • Hunter Ch. 1 & 2 • Kelley Ch. 1, 2 & 3 Worksheets • Uniform Rules of District Court – 20 points
Tuesday Sept. 22 nd	<ul style="list-style-type: none"> • Drafting practice of pleadings 	<ul style="list-style-type: none"> • Civil Action • Civil Action Pleading • Practice Drafting 	<ul style="list-style-type: none"> • Hunter Ch. 9 • FRCP 13-25 (but not 16) • Vocab # 5 	<ul style="list-style-type: none"> • Orlick Ch. 5, 7 & 9 • Vocab # 4
Tuesday Sept. 29 th	<ul style="list-style-type: none"> • FRCP 13-25 • 3rd Party Practice 	<ul style="list-style-type: none"> • 3rd Party Rules • 3rd Party Practice • M&M 175-190 - Review 	<ul style="list-style-type: none"> • Test #1 • Vocab #6 	<ul style="list-style-type: none"> • FRCP 13-25 • Hunter Ch. 9 • Vocab #5
Tuesday Oct. 6 th	<ul style="list-style-type: none"> • Medical Records • Computer Explanation 	<ul style="list-style-type: none"> • Medical Handouts 	<ul style="list-style-type: none"> • Computer Exercises 	<ul style="list-style-type: none"> • Vocab #6 • Test #1
Tuesday Oct. 13 th	<ul style="list-style-type: none"> • Medical Records • Medical Chronology • Speakers 	<ul style="list-style-type: none"> • Practice Medical Chronology 	<ul style="list-style-type: none"> • FRCP 26-37 • Hunter Ch. 6, 7 & 8 • M&M Ch. 10 & 15 • Internet M&M; Ch. 10 #2, Ch. 15 #2 • Medical Chronology • Kelley pg. 69-85 • Vocab # 7 • FRCP 26 	
Tuesday Oct. 20 th	FALL Break – No School			
Tuesday Oct. 27 th	<ul style="list-style-type: none"> • Discovery • Privilege • Rule 26 • Work Product • E-Discovery 		<ul style="list-style-type: none"> • Vocab # 8 • Kelley – Appendix A • Kelley Ch. 4, 5, 6 & 7 Worksheets • FRCP 27-27 	<ul style="list-style-type: none"> • FRCP # 26 • Test # 1 • Vocab # 7 • Hunter Ch. 6, 7 & 8 • Civil Action Differences • Civil Action Internet Assignment • Complaint, Answer & Interpleader

DATE	CONTENT	CLASS ACTIVITY	ASSIGNMENT	WHAT IS DUE
Tuesday Nov. 3 rd	<ul style="list-style-type: none"> • Depositions • Court Reporter – Alexis Anderson 262-3334 	<ul style="list-style-type: none"> • Deposition Handouts 	<ul style="list-style-type: none"> • Read Depositions • Print off Topical Digests • Read Chronological Digests • Federal District Court Rules • 10 Points C.F.P. Ch. 4, 6 & 7 	<ul style="list-style-type: none"> • Vocab #8 • C.F.P. Ch. 4, 6 & 7 (10 points) • WRCP • Uniform Rules for District Court • Federal District Court Rules • FRCP 27-37
Tuesday Nov. 10 th	CCLS Interviews – 12:00, 12:30 & 1:00 Advising			<ul style="list-style-type: none"> • Discovery Notebook
Tuesday Nov. 17 th	<ul style="list-style-type: none"> • ABA Visit • PACER 			
Tuesday Nov. 24 th	<ul style="list-style-type: none"> • FRCP 27 – 37 	<ul style="list-style-type: none"> • Review of Discovery Ch. 9 M&U 		<ul style="list-style-type: none"> • Kelley Worksheets 4, 5, 6 & 7 • C.F.P. Ch. 4, 6 & 7 • M&M Ch. 10 & 15 Worksheets and Internet Assignment • Federal District Court Rules – 20 points • WRCP
Tuesday Dec. 1 st	<ul style="list-style-type: none"> • Deposition Digest – Chronological & Topical 	<ul style="list-style-type: none"> • Topical Digest • Chronological Digest 	<ul style="list-style-type: none"> • Extra Credit Vocab Test 	<ul style="list-style-type: none"> • Computer Assignments
Tuesday Dec. 8 th	<ul style="list-style-type: none"> • Discovery Test #2 	<ul style="list-style-type: none"> • Discovery Test 		<ul style="list-style-type: none"> • Medical Chronology • Extra Credit Vocab Test • Chronological Digest • Topical Digest
Dec. 14 th – 18 th	FINALS WEEK			

****11:00 a.m. November 19th – Deadline for all excused work!**
LAW Conference – September 11th & 12th – Cheyenne, Wyoming