

PARL A238: Syllabus

Civil Procedure

Fall 2009

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Office Hours: 1:00 – 2:30 T/R

Lecture: Social Services Bldg. (SSB) Room 224

Time: T/R, 5:30 to 6:45 pm

Course Description

This course builds on the general knowledge of civil litigation obtained in PARL A101 by requiring the student to master the elements of drafting court papers, applying the Rules of Civil Procedure, implementing discovery tools and preparing pre-trial motions.

Course Objectives

- Achieve thorough understanding of the Rules of Civil Procedure that apply to pre-trial practice.
- Develop ability to analyze correctly jurisdictional issues in state and federal courts.
- Comprehend and implement discovery plan incorporating interrogatories, requests for production, requests for admissions, depositions and enforcement motions.
- Competent drafting of court papers, including pleadings, common pre-trial motions, requests for expedited consideration and requests for hearings.

Required Text:

McCord, James. The Litigation Paralegal: A Systems Approach (current).

Alaska Rules of Court: Official Rules

Course Requirements:

- You are expected to read the assigned text **in advance of the class** for which material is assigned below.
- You are also expected to complete all of the written assignments indicated by the **next class meeting date** as identified below. Late assignments **will not be accepted** unless you have made arrangements with Professor Kelley prior to the day on which the assignment is due.
- You are required to take bi-weekly quizzes in this course, and the final examination.
- You are expected to attend and participate in class.
- You are required to monitor the course Blackboard site at least twice every week in preparation for class. Announcements regarding any necessary changes in schedule or assignments will be posted there.

Grading:

Assignments:	40%
Quizzes	25%
Exam:	25%
Attendance:	10%

This course is graded based on the A-F grading criteria identified in the UAA Catalog.

COURSE SCHEDULE:

Date	Assignment	Topic
8/25	None	Introduction to the course: Why we study civil procedure in depth. Fairness Principles
8/27	Text: Chapter 1 Pp. 1-43	The anatomy of a lawsuit.
9/1	Text: Chapter 2	The “triggering event”: Disputes
9/3	Rule 11	Rule 11 and reasonable inquiry. In-class exercise
9/8		No Class
9/10	Text: Chapter 4, pp. 156-162	Causes of Action
9/15	Text Chapter 4 – 5, pp. 139 - 205	Pleadings Stage

9/17	Text: Chapter 5, pp.178 - 206	Court Papers, generally. Rule 76 Service
9/22	Chapter 5, pp. 178- 206	Complaints & Service of Process
9/24	Chapter 4, pp. 139- 175	Drafting Complaints
9/29	Chapter 6, pp. 209- 257.	Responsive Pleadings
10/1	Text: pp.225- 239	Answers and their kin.
10/6	Text: Chapter 6	Defending the Lawsuit
10/8		[Reserved]
10/13	Bb Learning Unit	Pre-trial Order, Calendar control
10/15	Rule 26(f). Text: Pp. 268-270.	Meeting of the Parties, Report to the Court
10/20	Text: Chapter 10, pp. 395-442.	Alternative Dispute Resolution (ADR)
10/22	Text: Chapter 7, pp. 260 - 273	Discovery
10/27	Text: pp. 274 – 293	Interrogatories
10/29	Text: Pp. 300 - 304	Answering Interrogatories

11/3	Text: Chapter 9, pp. 350 - 392	Document Discovery
11/5	Text: pp. 351-370	Requests for Production
11/10	Text: pp.372 - 381	Medical Examinations; Requests for Admissions
11/12	Text: Chapter 8 pp. 305 - 348	Depositions --
11/17	Instructions for Deposition Class on Bb	Deposition Demonstration
11/19	Text: pp. 381 - 385	
11/24	Text: pp. 387 – 391	Information Management
11/26		No Class, Thanksgiving
12/1	Rule 77	Motions Practice & Mechanics
12/3	Text: Pp. 246 -247.	Rule 56 Motions
12/8		No class: On line review session available
12/10		Final Exam

BLACKBOARD SITE:

The URL for the portal to Blackboard is:

<http://technology.uaa.alaska.edu/blackboard/> . If you haven't been on Blackboard (Bb) previously, spend some time taking the brief tutorial explaining how to sign in. This information is located under the pull-down menu named "Student Resources" on the Blackboard homepage. In addition, there are normally Blackboard trainings offered at the start of the semester. These are also listed on the Blackboard homepage. **Do this early in the semester, or you will get left behind!**

System problems have been known to occur. When the system is down, system administrators normally post that fact on the main Blackboard login page. Your questions or comments about the system should be directed to the IT Services' Help Desk at 786-4646. Please, don't call Prof. Kelley – she cannot fix it!

Lecture Hall Protocols

- Turn off all cell phones, pagers, or other beeping, ringing, singing, or atonal devices. At most, put the device on "silent" or "vibrate".
Do not take or place calls during a lecture.
- If you must arrive late, find a seat nearest the door.
- If you must leave early, sit near the door when you arrive.
- Don't disrupt the lecture, which starts and ends promptly.
- Professor Kelley does not give legal advice to students.
- Be respectful of your colleagues as we engage in this learning enterprise.

Academic Dishonesty

Academic integrity is a basic principle that requires that you take credit only for ideas and efforts that are your own. Cheating, plagiarism, and other forms of academic dishonesty are defined as the submission of materials in assignments, exams, or other academic work which is based on sources prohibited by the faculty member.

In this course, your writing assignments are **individual efforts unless otherwise noted on Blackboard**.

Cheating on exams will result in a grade of zero for that exam.

Campus Safety

We care about your safety on campus. While relatively safe, our campus is NOT a sanctuary from crime, and accidents occur no matter how hard we try to prevent them. You are encouraged to be responsible for your own safety, and to bring safety concerns to the attention of UAA faculty or staff, or to contact Campus Police at 876-1120 when you observe an unsafe environment. For your own safety, please also take the time to locate the nearest exit and emergency telephone when you are in campus buildings.

Finally

This syllabus is a kind of implied contract between Prof. Kelley and you. She intends to deliver what is promised here, based on the expectation that you will do the same by meeting her requirements. However, every class has its unique features and pace based on student population. Therefore, Prof. Kelley reserves the right to make changes to this syllabus in her discretion, in the best interests of student success. Such changes will be posted on Blackboard at the first available opportunity to provide you with adequate notice. Suggestions for changes from students are welcome, and will be considered. Decisions regarding implementation of such changes, however, rest with Professor Kelley.

