

SYLLABUS
PARL A375 LITIGATION
Spring 2008
Wed 5:30 - 8:15 p.m.
UC 114

Instructor: Anthony Banker

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Course Description:

Intensive study of range of paralegal tasks associated with matters in litigation, from conducting the initial client interview through perfecting an appeal and collecting a judgment. Course includes extensive coverage of principles of evidence. Procedures for alternative dispute resolution are also addressed. Course requires active student participation in preparing a hypothetical case for trial. Individual production of a comprehensive litigation systems binder, comprising student-drafted checklists, forms, and practice tips, is required. Student participation is premised on a solid foundation in civil procedure and legal research. 3 Credits

Course Objectives:

- 1) Familiarize students with all aspects of trial preparation and pre-trial procedure through involvement with a hypothetical case.
- 2) Provide Students with a realistic opportunity to investigate a case, using live witnesses and providing physical evidence where appropriate.
- 3) Involve students in conducting and summarizing initial client interviews, planning an investigation, gathering and preserving admissible evidence, drafting a complaint and answer, preparing and filing a complaint and motion for default judgment, preparing pre-trial motions, conducting written discovery, planning and preparing for depositions, summarizing depositions, document production and control, settlement preparations, alternative dispute resolution, trial preparation, and trial, post trial practice, and appeals.
- 4) Provide students with sufficient skills and knowledge to accomplish the foregoing.

Methods:

The course objectives will be met through discussion, demonstration, practical exercises, special instruction from trial attorneys and other experts, simulated pretrial and trial conditions, traditional lecture, and individual production of a comprehensive litigation systems binder.

Required Texts:

Marlowe, Joelyn D. and Cummins, Suzanne (2007). *Evidence for Paralegals* (4th ed.) New York, Aspen.

Mauet, Thomas A. (2005). *Pretrial* (6th ed.). New York, Aspen.

McCord, James W.H. (2008). *The Litigation Paralegal: A Systems Approach* (5th ed.). West Legal Studies.

Evaluation:

		Course Percent Score	Grade
Systems Folder	120 Points		
Weekly Quizzes	120 Points	90-100	A
Participation	120 Points	80-89	B
<u>Final Exam</u>	<u>140 Points</u>	70-79	C
Total	500 Points	60-69	D
		Below 60	F

Class Schedule:**January 14**

- 1) Introduction to Course
 - a. Individual and team responsibilities
 - b. applicable law and jurisdiction
 - c. background/course description
 - d. team selection
- 2) Begin Chapter 1-McCord

Assignments to complete prior to next class:

Read: pp. 3-19 Mauet.
 pp. 7-41 McCord.
 pp. 1-14 Marlowe and Cummins
 System Folder Assignments 1-5 Chapter 1 McCord.

January 21

- 1) Conducting and Summarizing Initial Client Interviews
- 2) Application Assignments Chapter 1 McCord.
- 3) Chapter 1 quiz

Assignments to complete prior to next class:

Read: pp. 19-52 Mauet.
pp. 43-78 McCord.
pp. 15-31 Marlowe and Cummins
System Folder Assignments 1-11 Chapter 2 McCord.

January 28

- 1) Investigations, planning, ethics, compiling, preserving.
- 2) Application Assignments Chapter 2 McCord.
- 3) Interviews quiz

Assignments to complete prior to next class:

Read: pp. 53-108 Mauet.
pp. 80-136 McCord.
System Folder Assignments 1-10 Chapter 3 McCord.

February 4

- 1) Application Assignments Chapter 3 McCord
- 2) Guest Lecture - Evidence
- 2) Continued Discussion of Investigations, planning, ethics, compiling, preserving.

Assignments to complete prior to next class:

Read: pp. 138-175 McCord.
pp. 111-171 Mauet.
System Folder Assignments 1-3 Chapter 4 McCord.
Completely Answer Questions for Study and Review
("QS&R") Nos. 1-32 Chapter 3 (p.135) McCord.

February 11

- 1) Drafting Complaints
- 2) Application Assignments Chapter 4 McCord
- 3) Turn in QS&R Assignment
- 4) Pleadings Quiz

Assignments to complete prior to next class:

Read: pp. 177-205 McCord.
pp. 111-171 Mauet.
System Folder Assignments 1-8 Chapter 5 McCord.
Draft both a fact and a notice complaint for the
Ameche case using the facts you discovered through
your previous investigation – add to your Systems
Folder.

February 18

- 1) The Finer Points of Filing, Process & Default
- 2) Application Assignments Chapter 5 McCord
- 3) Chapter 5 Quiz

Assignments to complete prior to next class:

Read: pp. 207-258 McCord.
pp. 301-344 Mauet.
System Folder Assignments 1-17 Chapter 6 McCord.

February 25

- 1) Testing the Lawsuit: Motions, Answers, and other Responsive Pleadings
- 2) Application Assignments Chapter 6 McCord
- 3) Guest Lecture – Judicial Perspective on Motions to Dismiss
- 4) Chapter 6 Quiz

Assignments to complete prior to next class:

Read: pp. 260-303 McCord.
System Folder Assignments 1-6 Chapter 7 McCord

March 4

- 1) Discovery – Overview, Interrogatories, and Admissions
- 2) Turn in Systems Folders for Mid-Semester Review
- 3) Application Assignments Chapter 7 McCord
- 4) Chapter 7 Quiz

Assignments to complete prior to next class:

Read: pp. 304-345 McCord.
System Folder Assignments 1-8 Chapter 8 McCord

March 11

No Class Spring Break

March 18

- 1) Discovery – Depositions
- 2) Application Assignments Chapter 8 McCord
- 3) Chapter 8 Quiz

Assignments to complete prior to next class:

Read: pp. 349-397 McCord.
System Folder Assignments 1-10 Chapter 9 McCord

March 25

- 1) Discovery – Document Production and Control
- 2) Chapter 9 Quiz

Assignments to complete prior to next class:

Read: pp. 399-448 McCord.
System Folder Assignments 1-5 Chapter 10 McCord

April 1

- 1) Settlement and Alternative Dispute Resolution
- 2) Guest Lecture
- 3) Chapter 10 Quiz

Assignments to complete prior to next class:

Read: pp. 450-481 McCord.

pp. 347-387 Mauet.

System Folder Assignments 1-11 Chapter 11 McCord

Prepare Demonstrative Evidence for Trial

April 8

- 1) Trial Preparation & Pretrial Conferences
- 2) Chapter 11 Quiz

Assignments to complete prior to next class:

Read: pp. 483-521 McCord.

System Folder Assignments 1-10 Chapter 12 McCord

April 15

- 1) Post Trial Motions
- 2) Application Assignments Chapter 12 McCord
- 3) Chapter 12 Quiz

April 22

- 1) **Turn in Systems Folder**
- 2) Review for Final Exam

April 29

FINAL EXAM

SAFETY IS EVERYONE'S BUSINESS AT UAA

We care about your safety on campus. While relatively safe, our campus is NOT a sanctuary from crime and accidents still 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 786-1120 when you observe an unsafe environment. For your own safety, please also take time to locate the nearest exit and emergency telephone when you are in campus buildings.

EMERGENCY BUILDING EVACUATIONS DURING FINALS WEEK

Finals are not cancelled automatically. In the event of an emergency evacuation during class time, you should vacate the building as rapidly as possible and report to a designated assembly site for rescheduling. The location of the designated assembly site will be provided to you as you leave the building.