



El Camino College
COURSE OUTLINE OF RECORD – Official

Course Acronym:	LAW
Course Number:	16
Descriptive Title:	Civil Procedure
Division:	Business
Department:	Law
Course Disciplines:	Law
Catalog Description:	This course examines civil court procedures before filing a lawsuit in a court of law through trial and appeal, and is designed to provide expertise in drafting legal documents from the inception of the civil action through the pleading stage. Topics include parties to the action, jurisdiction and venue, the summons, defaults, pleadings, and attacking the pleadings. Students are also introduced to the law of evidence.
Prerequisite:	Law 11 with a minimum grade of C or Concurrent Enrollment in Law 11 with departmental approval.
Co-requisite:	
Recommended Preparation:	
Enrollment Limitation:	
Hours Lecture (per week):	3
Hours Laboratory (per week):	0
Outside Study Hours:	6
Total Course Hours:	54
Course Units:	3
Grading Method:	Letter Grade only
Credit Status:	Credit, degree applicable
Transfer CSU:	Yes
Effective Date:	Prior to July 1992
Transfer UC:	No
Effective Date:	
General Education:	ECC
Term:	
Other:	
CSU GE:	

	Term:
	Other:
	IGETC:
	Term:
	Other:
Student Learning Outcomes:	<p>SLO #1 Legal Memoranda and Forms</p> <p>Draft pleadings/memoranda including court forms in a manner sufficient for submission to the applicable court.</p> <p>SLO #2 Providing Direct Assistance to Attorneys</p> <p>Apply knowledge of civil procedure in order to provide direct assistance to attorneys including research, client interviews, problem resolution and the examination of ethics in the legal workplace.</p> <p>SLO #3 Legal Comprehension</p> <p>Understand and apply theories and principles of civil procedure to interpret legal documents.</p>
Course Objectives:	<ol style="list-style-type: none"> 1. Differentiate between the federal and state court systems. 2. Appraise and determine the proper forum for filing suit. 3. Differentiate between subject matter jurisdiction, venue and personal jurisdiction. 4. Evaluate, identify and prepare appropriate pleadings, including summons complaint and verification. 5. Distinguish the appropriateness of different pre trial motions and discovery proceedings. 6. Examine the utilization of a lis pendens and attachment proceedings. 7. Predict the consequences of different pleading and trial maneuvers. 8. Describe the appellate procedure. 9. Assemble and draft appropriate forms, pleadings and orders for the court.
Major Topics:	<p>I. Sources of Procedural Requirements (3 hours, Lecture)</p> <ol style="list-style-type: none"> A. The Litigation Process B. The Role of the Litigation Paralegal C. Parties and actors in litigation <p>II. Ethics in Litigation (3 hours, Lecture)</p> <ol style="list-style-type: none"> A. The Attorney-Client Relationship B. Initial interview C. Evaluating the Case Fee Agreements <p>III. Introduction to California and Federal Court Structures (3 hours, Lecture)</p> <ol style="list-style-type: none"> A. Subject Matter Jurisdiction B. Federal and State Jurisdiction

- C. Federal and State court levels

IV. Jurisdiction (3 hours, Lecture)

- A. Personal Jurisdiction
- B. Challenging Jurisdiction
- C. Venue

V. Pleadings (15 hours, Lecture)

- A. Capacity and Joinder
- B. Complaints in State and Federal Courts
 - 1. Causes of Action
 - 2. Verification
 - 3. Service of Summons
 - 4. Local Rules
- C. Answers in State and Federal Courts
 - 1. Denials and Defenses
 - 2. Cross-Complaint
- D. Attacking the Pleadings in State and Federal Courts
 - 1. Demurrers
 - 2. Motions
- E. Amending the Pleadings
 - 1. State Court
 - 2. Federal Court

VI. Calendaring Rules (3 hours, Lecture)

- A. Calendaring Problems
- B. Proof of Service
- C. Notice requirements

VII. Discovery (12 hours, Lecture)

- A. Limits to Discovery
- B. Interrogatories, Challenges and Responses
- C. Depositions
- D. Role of the Paralegal at Deposition
- E. Deposition Summaries
- F. Requests for Admissions

VIII. Obtaining and Using Tangible Evidence (6 hours, Lecture)

- A. Organizing and Analyzing Documentary Evidence
- B. Independent Medical Examinations
- C. Requests for production of documents

IX. Summary Judgment procedure and application (3 hours, Lecture)

- A. Court Orders
- B. Trial-Setting Procedures
- C. Case management conference

	<p>D. Arbitration and Alternative Dispute Resolution</p> <p>X. Trial Preparation (3 hours, Lecture)</p> <p>A. Pretrial motions B. Procedures C. Judgments and Post-Trial Motions D. Judgment notwithstanding verdict E. Appeals</p>
Total Lecture Hours:	54
Total Laboratory Hours:	0
Total Hours:	54
Primary Method of Evaluation:	1) Substantial writing assignments
Typical Assignment Using Primary Method of Evaluation:	A partner in the law firm where you are employed has set up an appointment with Mr. Desaster to discuss the possibility of bringing a wrongful termination action against EC Camera as well as a personal injury suit on behalf of his daughter Mary. When the partner mentions the EC Camera name you realize that this is the corporation your brother has been "winning and dining" to secure an exclusive west coast deal. At the time, he advised your parents to sell their stock in the company. In a two- to three-page paper, thoroughly explain the laws regarding this issue and answer the following: Is there a conflict of interest in your firm now representing the Desasters? Why or why not? What recommendations would you make to the partner on how to proceed?
Critical Thinking Assignment 1:	EC Camera has hired you to represent its interests. They anticipate the Desasters will end up suing them at some point. They want to file an action in Delaware against John Desaster for his theft of the cameras and camera equipment. They feel that with the Desasters living in California, they would have a great logistical advantage in having proceedings handled in Delaware. They claim that part of their employment contract with John (i.e., the issuance of his paycheck was to be performed in Delaware.) Assume that Delaware has the same laws, rules, and courts as California. What do you advise/recommend regarding possible locations and courts for filing their lawsuit? Thoroughly explain your answer in a two- to three-page paper.
Critical Thinking Assignment 2:	You have been retained by John and Mary Desaster to file a Complaint against EC Camera. You will be filing this Complaint with the Torrance branch of the Los Angeles Superior Court. Due to the complexity of the case, you feel they will be best served if the case is filed as an unlimited civil matter. You may assume that John has already been appointed guardian ad litem for Mary. Prepare a Complaint and summons for the matter, using pleading paper and the proper legal format.
Other Evaluation Methods:	Homework Problems, Multiple Choice, Objective Exam, Term or Other Papers, True/False, Written Homework
Instructional Methods:	Discussion, Group Activities, Lecture, Multimedia presentations
If other:	
Work Outside of Class:	Answer questions, Problem solving activity, Required reading, Study, Written work (such as essay/composition/report/analysis/research)
If Other:	

Up-To-Date Representative Texts:	Luten, S. California Civil Litigation. 5th ed. Cengage Learning, 2009. (Discipline Standard)
Alternative Texts:	
Required Supplementary Readings:	
Other Required Materials:	
Requisite:	Prerequisite
Category:	sequential
Requisite course(s): List both prerequisites and corequisites in this box.	Law-11
Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s).	Draft pleadings/memoranda including court forms in a manner sufficient for submission to the applicable court. Understand and apply theories and principles of law to interpret legal documents, perform legal research and communicate those results.
Requisite Skill:	
Requisite Skill and Matching Skill(s): Bold the requisite skill(s). If applicable	
Requisite course:	
Requisite and Matching skill(s): Bold the requisite skill. List the corresponding course objective under each skill(s).	
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Enrollment Limitations and Category:	
Enrollment Limitations Impact:	
Course Created by:	Dagmar Halamka

Date:	10/07/1975
Original Board Approval Date:	
Last Reviewed and/or Revised by:	Jennifer Gassen White
Date:	10/31/2023
Last Board Approval Date:	01/17/2024
Effective Term:	FALL 2024