

COURSE TITLE AND NUMBER: LA 204 Master.doc

North Central Michigan College

NCMC MASTER COURSE SYLLABUS

Last Date Revised 3/4/04

DIVISION/AREA: Business and Technology

DEPARTMENT:

DIVISION DIRECTOR: Robert J. Marsh, Ph.D.

ORIGINATOR:

DEAN OF INSTRUCTION: Timothy Dykstra, Ph.D.

TOTAL HOURS OF INSTRUCTION: 3 LECTURE: LAB: 0 TOTAL CONTACT HOURS: 52.8

COURSE NUMBER: LA 204

CREDIT HOURS: 3

COURSE TITLE: Civil Procedure & Rules of Evidence

TRANSFERABLE YES: NO: X TO:

PREREQUISITE(S)/COREQUISITE(S)/ADVISORY:

CATALOG DESCRIPTION:

This course studies the Michigan Rules of Court and Michigan Rules of Evidence along with their federal counterparts.

GENERAL EDUCATION OUTCOMES:

- Think critically and analytically
 - Write and speak effectively
 - Independently acquire knowledge
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COURSE OBJECTIVES & OUTCOMES:

1. To train non-licensed legal assistants in the essential rules of civil procedure in State and Federal courts to enable them to more efficiently assist in the preparation and prosecution of civil cases.
2. To develop better understanding the history and purpose of civil rules of procedure and evidence which will increase the ability of the legal assistant to use initiative in the conduct of discovery, dispute resolution and preparation for trial.
3. To develop a better understanding of the civil legal process available to meet a wide variety of client needs.

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4. To develop a better understanding of the potential roles of the legal assistant in serving client needs.
 5. To increase the ability of the legal assistant to assist in the preparation for and conduct of trial in the civil setting.
 6. To encourage personal development in written, verbal and critical thinking skills.
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METHODS OF INSTRUCTION: Lecture, assignments, in class and homework exercises and projects

METHODS OF EVALUATION:

Students will be evaluated on their performance during classroom discussions, class attendance, and exam scores.

REQUIRED TEXTS:

Michigan Rules of Court, West Publishing Company, 1999.

Margaret T. Stopp, J.D., *Evidence Law in the Trial Process*, West Publishing Company, 1999.

OPTIONAL SUPPLEMENTARY MATERIALS:

Reasonable accommodations may be provided for students with documented physical, sensory, cognitive, systemic, and/or psychiatric disabilities. Please contact the Education Opportunity Program (EOP) at (231) 348-6687 to arrange services for this course.

TIME ALLOWANCE AND SEQUENCE OF INSTRUCTION:

COURSE SCHEDULE

| Week | Topic and Chapter |
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| 1 | First Day of Class—Course Overview Read Chapter 1— Overview of The Trial Process (pages 1-12) from EL and Applications 1-1, 1-2. Be prepared to discuss questions from these applications. Read MCR §§ 1.108, 1.109, and 2.003 |
| 2 | Read Chapter 3— Role of the Judiciary Trial (pages 42-52) and application. Be prepared to discuss questions from this Application 3-1. Read MCR Subchapter 2.100. Pay particular attention to §§ 2.114, 2.116 and 2.119. |
| 3 | Read Chapter 4— Burdens of Proof and Presumptions at Trial (pages 63-69) and Application 4-1, and Exercise 1. Be prepared to discuss questions from this Application. Read MCR Subchapter 2.200. Pay particular attention to §§ 2.221, 2.222 and 2.223. |
| 4 | Read Chapter 5— Relevant Evidence (pages 83-91) and Application 5-1 and Exercise 1. Be prepared to discuss questions from this Application. Read MCR Subchapter 2.300, §§ 2.301-2.309. Pay particular attention to §§ 2.305, 2.308 and 2.309. |
| 5 | Read Chapter 6— Limits of Relevant Evidence (pages 100-119) and Application 6-2, and Exercise 1. Be prepared to discuss questions from this Application. Read MCR Subchapter 2.300, §§ 2.310-2.316. Pay particular attention to §§ 2.310, 2.312, 2.313, and 2.316. |
| 6 | Read Chapter 7— Authentication, Original Documents, and Exhibits (pages 132-146) and Application 7-2 and Exercises 2 and 3. Be prepared to discuss questions from this Application. Read MCR Subchapter 2.400. Pay particular attention to §§ 2.401, 2.402 and 2.403. |
| 7 | Read Chapter 12— Privileged Communications (pages 263-272) and Application 12-1. Be prepared to discuss questions from this Application. Read MCR Subchapter 2.500. Pay particular attention to §§ 2.501, 2.503, 2.506 and 2.510. |
| 8 | Read MCR Subchapters 3.200 and 3.400 (Skim read, not testable). |
| 9 | Review |
| 10 | Midterm exam |
| 11 | Read Chapter 8— Witness (pages 154-170) and Application. Be prepared to discuss questions from this Application 8-1, and Exercise 3. Read MCR Subchapters 2.600. Pay particular attention to §§ 2.601, 2.602, 2.603, 2.613. |

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| 12 | Read Chapter 9— Lay and Expert Witness (pages 200-214) and Application 9-3, and Exercise 1. Be prepared to discuss questions from this application. Read Handout on Medical Malpractice Expert Witness requirements. Read MCR Subchapters, 3.100, 4.000, 4.001, 4.200, and 4.300 |
| 13 | Read MCR Chapter 5—Subchapters 5.100 -5.700 |
| 14 | Read MCR Chapter 5—Subchapters 5.715, 5.720, and 5.750-5.900 |
| 15 | Review |
| 16 | Final Exam |

APPROVED FOR ADOPTION BY THE CRD/AP COMMITTEE ON _____