

**SYLLABUS**  
**SOUTH SUBURBAN COLLEGE - SPRING 2009**  
**PLA 201, EVIDENCE AND INVESTIGATION**

**INSTRUCTOR:** Patrick T. Deane, J.D., LL.M

**MEETS:** Online

**Office:** (708) 596-2000, Ext. 2538

**OFFICE HOURS:** Tuesdays and Thursdays. 8:00 a.m.-9:30 a.m. and 10:45 a.m. - 11:20 a.m.

**OBJECTIVES:**

The student will:

1. become familiar with the fundamental rules of evidence.
2. become familiar with the principles of admissibility, materiality, relevancy, competency, weight, burden of proof, privilege, opinion evidence, the hearsay rule and its exceptions, circumstantial evidence and direct evidence.
3. become familiar with the use of discovery, including interrogatories, depositions, requests to admit facts and genuineness of documents, judicial notice and similar matters as they relate to evidence.
4. become familiar with the admissibility of documentary and photographic evidence.
5. become familiar with the general principles of investigation.
6. become familiar with client and witness statements, obtaining medical and employment information, and working with a private or staff investigator.
7. become familiar with locating and using expert witnesses.
8. practice practical application of the skills developed.

**OTHER AIMS OF THE COURSE:** The student will gain awareness of:

1. To acquaint the student with the need for accuracy, honesty and foresight in developing a case for trial.
2. To acquaint the student with the ethical considerations in trial work, and to consider the ethical aspects for the standpoint of the attorney and the paralegal.
3. To develop the student's ability to anticipate investigative, evidentiary, and ethical problems which might arise before and during trial.

**TEXT:** The text for this course is Joellyn D. Marlowe and Suzanne Cummins, Evidence for Paralegals, 4th and edition, 2008, Aspen, ISBN 978-0-7355-5852-6.

## ***INSTRUCTOR'S EXPECTATIONS:***

- 1) Treat this course as if it were your job. You are preparing to be a paralegal. Being a paralegal is a career and, as such, carries certain responsibilities.
- 2) Plagiarism/cheating will not be tolerated and will result in an immediate "F" for the course and written documentation will be made to the appropriate school officials. This "F" cannot be changed to a "W" if you attempt to withdraw.
- 3) Keep up with the reading assignments. You can't contribute to bulletin board discussions or participate in activities if you don't know what we're talking about. Bulletin board discussions and/or participation in activities will be an important part of the learning process and also an important part of your final grade. It will be expected by the instructor that you have read the material and that you are prepared to discuss the material in an intelligent manner.
- 4) Even though this course is being delivered online, you must be respectful of your fellow students. Refrain from profanity in any manner or harsh words directed at the instructor or a fellow classmate. In other words, extend everyone the same courtesies you expect for yourself.
- 5) If you are having difficulty with the subject matter, it is ***your*** responsibility to contact the instructor for help.
- 6) Late assignments will not be tolerated in the workplace and therefore any late assignments will NOT be accepted or graded in this class.
- 7) The Academic Code of Conduct, the Student Code of Conduct and the Violence and Threats of Violence Code will be in force in this class and the code is incorporated into this syllabus by reference. The Academic Code of Conduct can be found in the latest issue of the college catalog and it IS incorporated by reference into this course.
- 8) You are responsible for all material in the book in the chapters covered in this course as well as all material covered in class and all this material is considered fair game for a quiz or examination.

## ***CORRESPONDENCE***

All correspondence for our class will take place within the course's web page, the WebCT. On our web page, under "Communication Tools", you will find a place for bulletins and for private mail. Please follow these instructions for class communications:

1. Use the Discussion Board to ask each other questions or to ask me questions that I can respond to in a public manner.
2. Use Private Mail as a place for private discussions between you and me or another student.

**CATALOG DESCRIPTION:** PLA 201 – Evidence and Investigation (3 credit hours)

This course deals with discovery and preparation for trial. It includes the use of private investigators, techniques of preserving evidence, legal discovery tools and evidentiary rules governing discovery. This course is designed to give the student both theoretical and practical knowledge in the field of Evidence and Investigation.

**GRADING AND TESTING:**

You will be given 4 examinations during the course of this semester. Additionally, you will be assigned (randomly) 2 INTERACTIVE ASSIGNMENTS which must be completed and posted on the bulletin board.

Each examination is worth 100 points and the outside INTERACTIVE ASSIGNMENTS will account for 100 points. Consequently, the 4 examinations and related outside INTERACTIVE ASSIGNMENTS will account for a total of 100% of your final grade with the "breakdown" as follows:

EXAMINATION 1 -- 100 POINTS  
EXAMINATION 2 -- 100 POINTS  
EXAMINATION 3 -- 100 POINTS  
EXAMINATION 4 -- 100 POINTS  
INTERACTIVE ASSIGNMENT NUMBER 1 -- 50 POINTS  
INTERACTIVE ASSIGNMENT NUMBER 2 -- 50 POINTS

The grading scale used to determine your final grade is:

450 TO 500 TOTAL POINTS = A  
400 TO 449 TOTAL POINTS = B  
350 TO 399 TOTAL POINTS = C  
300 TO 349 TOTAL POINTS = D  
0 TO 299 TOTAL POINTS = F

**MANDATORY ASSIGNMENTS:** For each exam, in addition to the exam itself, you must post a MANDATORY ASSIGNMENT on the Bulletin Board. The deadline to post your MANDATORY ASSIGNMENT is the first day that the next exam opens. For instance, if exam 1 opens at 11:00 a.m. on 02/09/2009, you must post your MANDATORY ASSIGNMENT for exam 1 by 11:00 a.m. on that day. If your assignment is posted after 11:00 a.m. on the day it is due, I will not grade your assignment. If exam 2 opens at 11:00 a.m. on 03/09/2009, you must post your MANDATORY ASSIGNMENT for exam by 11:00 a.m. on that day and so on for each exam. If you fail to post a significant MANDATORY ASSIGNMENT for any particular exam by the deadline, I will deduct 10 points from your exam score.

**FAIR WARNING!** In the past, some students have done very well on the exams but have neglected their duty to post their MANDATORY ASSIGNMENTS on the Bulletin Board in a

timely fashion. This really hurt their final grade. It is not enough to do well on the exams! You must be very active on the bulletin board to do well in the course.

My advice is to make sure you post your MANDATORY ASSIGNMENT on time (per exam) and make sure you get active on the Bulletin Board. This is the best way to earn the maximum points in the course.

Moreover, for each exam, you can earn up to 10 additional extra credit points by becoming active (in addition to your MANDATORY ASSIGNMENT posting) on the Bulletin Board discussing relevant legal issues from the materials or responding to other classmates MANDATORY ASSIGNMENT postings. The deadline for extra credit postings per exam is the closing date of the upcoming exam. For instance, if exam 1 closes at 11:00 a.m. on 02/16/2009, that is the latest day and time you can post extra credit responses on the bulletin board for exam 1. If exam 2 closes at 11:00 a.m. on 03/16/2009, that is the latest day and time you can post extra credit responses on the bulletin board for exam 2 and so on for each exam. Please note that this is the only way to earn extra credit points in this course. I will not entertain any additional requests for extra credit nor will I allow you to "go back" and post after the applicable deadline in hopes of earning additional points.

There is a link at the bottom of this page that lays out all of the instructions/rules regarding the MANDATORY ASSIGNMENT for each exam. Make sure you understand each and every detail regarding the MANDATORY ASSIGNMENT and if you do not, you need to contact me.

**EXAMS AND INTERACTIVE ASSIGNMENTS:** You must take each examination AND POST ANY INTERACTIVE ASSIGNMENTS in the scheduled time frame. Generally, there will be no make-up examinations/INTERACTIVE ASSIGNMENTS allowed. However, if you obtain the instructor's prior approval, you may be allowed to take a make-up examination/INTERACTIVE ASSIGNMENTS if the instructor, in his sole discretion, believes your situation warrants the allowance of a make-up examination/ INTERACTIVE ASSIGNMENTS. Please note that there will be no make-up examination/ INTERACTIVE ASSIGNMENTS allowed without the instructor's prior approval.

In regard to the above-mentioned examinations, each examination will contain multiple choice/TRUE/FALSE type questions and will be taken and graded online. ALSO, THE INTERACTIVE ASSIGNMENTS WILL REQUIRE YOU TO INTERACT WITH THE CLASS ON THE BULLETIN BOARD.

EXAM 1 WILL COVER CHAPTERS 1-3  
EXAM 2 WILL COVER CHAPTERS 4-6  
EXAM 3 WILL COVER CHAPTERS 7-10  
EXAM 4 WILL COVER CHAPTERS 11-13

Each exam must be completed no later than the date and time indicated below. The exams will be 50 questions/items (multiple choice, true/false, etc.) and you will take each exam online in WebCT. Obviously, each exam will be open book BUT each exam is also timed to 90 minutes. Therefore, you will have to study and prepare so that you do not waste time looking up answers. Again, I provide 90 minutes for each exam so start studying now.

## ***EXAMINATION SCHEDULE***

### **EXAM 1 (CHAPTERS 1-3)**

--the MANDATORY ASSIGNMENT for Exam 1 must be posted no later than 11:00 a.m. on 02/09/2009.

-- Exam 1 will be made available 11:00 a.m. on 02/09/2009 and must be completed no later than 11:00 a.m. 02/16/2009.

### **EXAM 2 (CHAPTERS 4-6)**

--the MANDATORY ASSIGNMENT for Exam 2 must be posted no later than 11:00 a.m. on 03/09/2009.

-- Exam 2 will be made available 11:00 a.m. on 03/09/2009 and must be completed no later than 11:00 a.m. 03/16/2009.

### **EXAM 3 (CHAPTERS 7-10)**

--the MANDATORY ASSIGNMENT for Exam 3 must be posted no later than 11:00 a.m. on 04/06/2009.

-- Exam 3 will be made available 11:00 a.m. on 04/06/2009 and must be completed no later than 11:00 a.m. 04/13/2009.

### **EXAM 4 (CHAPTERS 11-13)**

--the MANDATORY ASSIGNMENT for Exam 4 must be posted no later than 11:00 a.m. on 05/04/2009.

-- Exam 4 will be made available 11:00 a.m. on 05/04/2009 and must be completed no later than 11:00 A.M. 05/11/2

## ***STUDENT CONDUCT***

The terms and provisions of the current South Suburban College Catalog are hereby incorporated by reference into this course outline and made a part of this document. Specifically, the terms and provisions of the Student Codes of Conduct contained in the current South Suburban College Catalog are hereby incorporated by reference into this course outline and made a part of this document. Please familiarize yourself with the Student Codes of Conduct and adhere to them at all times.

## ***INTERACTION ASSIGNMENTS***

The 2 Interaction Assignments for the course are based on the End of Chapter Review Questions and Applications that appear at the end of each chapter. For example, the End of Chapter Review Questions and Applications appear on page 31 of the text. Please note, the End of Chapter Review Questions and Applications that appear at the end of each chapter are an integral part of both INTERACTIVE ASSIGNMENT NUMBER 1 and INTERACTIVE ASSIGNMENT NUMBER 2. Also, these 2 Interactive Assignments are in addition to the 4 MANDATORY ASSIGNMENTS you will post on the Bulletin Board (one MANDATORY ASSIGNMENT for each Exam).

***INSTRUCTIONS FOR THE 2 INTERACTIVE ASSIGNMENTS:*** On the Bulletin Board, pursuant to the following schedule, you are to post your answers/analysis of your assigned End of Chapter Review Questions and Applications (see the end of this Syllabus) as follows:

***INTERACTIVE ASSIGNMENT NUMBER 1***

50 points (of your total 500 points for the final grade) shall be based on the End of Chapter Review Questions assigned below and you must do the following:

A. EVERY STUDENT MUST POST their complete answers to their assigned End of Chapter Review Questions by the posted deadline. You must re-state each End of Chapter Review Question and then provide your complete answer and analysis to each End of Chapter Review Question. You must answer each question using complete sentences. **YOU MUST POST YOUR ANSWERS NO LATER THAN 11:00 AM ON YOUR ASSIGNED DUE DATE!**

B. For every student other than the author of the assigned End of Chapter Review Questions, you are to read and analyze the End of Chapter Review Questions posted by student who was assigned the End of Chapter Review Questions for that particular chapter. You are encouraged to ask the student who posted his or her answers to the assigned the End of Chapter Review Questions for that particular chapter. The student who posted the original answers is strongly encouraged to respond to any inquiries by me or any of his or her classmates.

C. The grading for INTERACTIVE ASSIGNMENT NUMBER 1 is as follows:

1. I will award up to 40 points for the complete answers to the assigned student's End of Chapter Review Questions which are posted by the assigned deadline. The more complete the answer, the more opportunity the student has to earn the full 40 points. Incomplete or wrong answers will not be awarded any points.

2. The remaining 10 points will be based on every student's follow-up interaction on the Bulletin Board regarding the answer originally posted by the student assigned the particular End of Chapter Review Questions. Therefore, you each have the opportunity to earn these 10 points by being very active and engaged on the Bulletin Board discussing the original posing by the student assigned the particular End of Chapter Review Questions.

The idea here is to get you all interacting with one another on the Bulletin Board. The 50 points allocated to this project towards your final grade will be based on your performance on the above assignments. I will provide separate Bulletin Board Topic Areas to accommodate the posting of the analysis/answers to the End of Chapter Review Questions and the follow-up Bulletin Board activity. Also, you will all use the same Bulletin Board procedures that you use for the MANDATORY ASSIGNMENTS you post for each Exam.

## ***INTERACTIVE ASSIGNMENT NUMBER 2***

50 points (of your total 500 points for the final grade) shall be based on the Applications (that appear at the end of each Chapter) assigned below and you must do the following:

A. EVERY STUDENT MUST POST their complete answers to their assigned Applications by the posted deadline. You must re-state each Applications Question and then provide your complete answer and analysis to each Applications Question. You must answer each question using complete sentences. YOU MUST POST YOUR ANSWERS NO LATER THAN 11:00 AM ON YOUR ASSIGNED DUE DATE!

B. For every student other than the author of the assigned Applications, you are to read and analyze the answers to the Applications questions posted by student who was assigned the Applications for that particular chapter. You are encouraged to ask the student who posted his or her answers to the assigned the Applications for that particular chapter. The student who posted the original answers is strongly encouraged to respond to any inquiries by me or any of his or her classmates.

C. The grading for INTERACTIVE ASSIGNMENT NUMBER 2 is as follows:

1. I will award up to 40 points for the complete answers to the assigned student's Applications which are posted by the assigned deadline. The more complete the answer, the more opportunity the student has to earn the full 40 points. Incomplete or wrong answers will not be awarded any points.

2. The remaining 10 points will be based on every student's follow-up interaction on the Bulletin Board regarding the answer originally posted by the student assigned the particular Applications. Therefore, you each have the opportunity to earn these 10 points by being very active and engaged on the Bulletin Board discussing the original posting by the student assigned the particular Applications.

The idea here is to get you all interacting with one another on the Bulletin Board. The 50 points allocated to this project towards your final grade will be based on your performance on the above assignments. I will provide separate Bulletin Board Topic Areas to accommodate the posting of the analysis/answers to the Applications and the follow-up Bulletin Board activity. Also, you will all use the same Bulletin Board procedures that you use for the MANDATORY ASSIGNMENTS you post for each Exam.

This syllabus is not a contract or offer to contract. The instructor, paralegal coordinator, department chair, dean and/or other school administrators reserve the right to change information contained herein without notice when circumstances warrant such action.

## INTERACTIVE ASSIGNMENTS

I have randomly assigned each student their Interactive Assignment 1 and Interactive Assignment 2. The End of Chapter Review Questions and Applications to be analyzed by each individual student are:

<u>STUDENT</u>	<u>INTERACTIVE ASSIGNMENT 1 -- END OF CHAPTER REVIEW QUESTIONS</u>	<u>DUE DATE</u>
Cendejas, Javier	CHAPTER 7	3/23/3009
Collins, Latoya	CHAPTER 13	5/4/2009
Curtin, Gina	CHAPTER 9	3/30/3009
Deloney, William	CHAPTER 2	2/2/2009
Gill, Anya	CHAPTER 5	3/2/2009
Henry, Wanda	CHAPTER 11	4/20/2009
Lucas, Shawndra	CHAPTER 12	4/27/2009
Richmond, Carmen	CHAPTER 10	4/6/2009
Smith-Bonk, Karen	CHAPTER 6	3/9/2009
Stevenson, Angela	CHAPTER 3	2/9/2009
Williams, Wanda	CHAPTER 8	3/23/3009
Zivo, Brooke	CHAPTER 4	2/23/2009

<u>STUDENT</u>	<u>INTERACTIVE ASSIGNMENT 2 -- END OF CHAPTER APPLICATIONS</u>	
Cendejas, Javier	CHAPTER 3	2/9/2009
Collins, Latoya	CHAPTER 11	4/20/2009
Curtin, Gina	CHAPTER 5	3/2/2009
Deloney, William	CHAPTER 8	3/23/3009
Gill, Anya	CHAPTER 7	3/23/3009
Henry, Wanda	CHAPTER 9	3/30/3009
Lucas, Shawndra	CHAPTER 10	4/6/2009
Richmond, Carmen	CHAPTER 2	2/2/2009
Smith-Bonk, Karen	CHAPTER 12	4/27/2009
Stevenson, Angela	CHAPTER 4	2/23/2009
Williams, Wanda	CHAPTER 13	5/4/2009
Zivo, Brooke	CHAPTER 6	3/9/2009