

COURSE SYLLABUS

PLGL 497: INTERVIEWING AND INVESTIGATION (3 semester hours) Online Course

Instructor: Professor April Pitts
Office Location: SS – 163
Office Hours: Professor Pitts is available by email or phone M – F, during normal business hours. (If an email is sent after 5 pm on a Friday, I will respond the following Monday.)
Office Phone: 903-886-5310 (Let it ring 4 times and it will be forwarded to my cell phone.)
Email: April.Pitts@tamuc.edu

Required Texts

Stephen P. Parsons, *Interviewing and Investigating: Essential Skills for the Legal Professional*, Aspen Publishing, 8th ed.

Print ISBN: 9781543840209
Ebook ISBN: 9798889063919

Course Description

This course focuses on fundamental skills in factual investigation and interviewing used in preparation of civil and criminal litigation. This course will focus on formulating a plan for investigation, communication skills, interviewing and locating fact witnesses, preparing and conducting witness and client interviews, working with expert witnesses, and the rules of evidence for the investigator.

Course Objectives

Upon successful completion of this course the student will demonstrate:

- a basic knowledge of the purpose and role of factual investigation and interviewing as it relates to formal discovery and informal investigation in the law office including knowledge of the American adversarial system;
- formal discovery in civil and criminal procedure, the basic rules of evidence, and relevant ethical and professional concerns including the unauthorized practice of law, client confidences, conflicts of interest, and improper communications; and
- a basic ability to utilize such knowledge as well as communication skills and factual analysis skills to competently plan and carry out an effective investigation in a realistic case context, including locating public and private records, identifying fact witnesses, locating qualified expert witnesses, and the scheduling and conducting of a client interview and a witness interview as well as the preparation of a witness statement.

Grading Policy

Informed Participation – You are expected to participate in the discussion each week you have assigned readings. You must prepare for the discussion by reading ALL of the material assigned. Questions will be posted related to each topic the week readings are assigned. You must thoughtfully respond to the posted questions. In addition, you must thoughtfully respond to at least one post by another student. Short posts or responses unsupported by information in the readings may be given ZERO points. The discussions will only be open for the week in which they are assigned.

Quizzes: The quizzes will consist of multiple choice, true/false, matching, and/or fill in the blank questions. Each weekly quiz will open 12:00 am the Thursday morning it is assigned and will close at 11:59 pm on Saturday of the same weekend. Any collaboration with other students with regards to the substance of the exam or during the completion of the exam will result in a ZERO on the quiz and may result in a failing grade in the course.

Case Study Interviews: You are also responsible for preparing and conducting client and witness interviews based on assigned Case Studies. In addition, each student will be responsible for playing the roles of client and witness as assigned by the instructor. You will be graded on the interview and client/witness role play. ***DO NOT*** divulge any information given to you regarding witness and client information for purposes of role play. If you give any information as to the content of your answers as a witness or client, written or verbal, you will be given a failing grade on the Client/Witness Role Play. Collaboration on developing interview questions is strictly prohibited. All information needed to prepare for the interview and client/witness roles will be emailed to each student to maintain confidentiality.

Late Assignments: All written work will be graded not only on content, but also on writing style, **including punctuation and grammar.** Late work **will not** be allowed **UNLESS** an acceptable reason for the request is submitted in writing to the professor, along with any applicable documentation. The professor will make the final determination with regards to whether the reason for late submission is acceptable.

Extra Credit: It is unfair to allow one student to submit an assignment for extra credit if the entire class does not also have the same opportunity. Therefore, individual student extra credit will not be allowed.

Your grade will be calculated according to the following formula:

Informed Participation	25 points
Quizzes	15 points
Client/Witness Role Play	20 points
Case Study Interviews	<u>40 points</u>
TOTAL	100 points

Grade Distribution is as follows:

A = 90-99

B = 80-89

C = 70-79

D = 65-69

F = 64 and below

Technology Requirements LMS

All course sections offered by Texas A&M University-Commerce have a corresponding course shell in the myLeo Online Learning Management System (LMS). Below are technical requirements

LMS Requirements:

<https://community.brightspace.com/s/article/Brightspace-Platform-Requirements>

LMS Browser Support:

https://documentation.brightspace.com/EN/brightspace/requirements/all/browser_support.htm

YouSeeU Virtual Classroom Requirements:

<https://support.youseeu.com/hc/en-us/articles/115007031107-Basic-System-Requirements>

Access and Navigation

You will need your campus-wide ID (CWID) and password to log into the course. If you do not know your CWID or have forgotten your password, contact the Center for IT Excellence (CITE) at 903.468.6000 or helpdesk@tamuc.edu.

Note: Personal computer and internet connection problems do not excuse the requirement to complete all course work in a timely and satisfactory manner. Each student needs to have a backup method to deal with these inevitable problems. These methods might include the availability of a backup PC at home or work, the temporary use of a computer at a friend's home, the local library, office service companies, Starbucks, a TAMUC campus open computer lab, etc.

Communication

If you have any questions or are having difficulties with the course material, please contact your Instructor.

Technical Support

If you are having technical difficulty with any part of Brightspace (D2L), please contact Brightspace Technical Support at 1-877-325-7778. Other support options can be found here:

<https://community.brightspace.com/support/s/contactsupport>

Classroom Etiquette

All students enrolled at the University shall follow the tenets of common decency and acceptable behavior conducive to a positive learning environment. (See Student's Guide Handbook, Policies and Procedures, Conduct) You are expected to exhibit respect for the instructor and fellow students at all times. Failure to adhere to these policies may result in removal from the online course.

Please be respectful of others' opinions even if you do not agree with them. I look forward to reading a variety of thoughts and opinions and I want you to express yourselves, but please Be Respectful! Remember all caps means you are yelling.

Disability Statement

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disabilities. If you have a disability requiring accommodation, please contact:

Office of Student Disability Resources and Services
Texas A&M University – Commerce
Gee Library
Room 132
Phone: (903)886-5150 or (903)886-5835
Fax: (903)468-8148
StudentDisabilityServices@tamuc-commerce.edu

Nondiscrimination Statement

Texas A&M University - Commerce will comply in the classroom, and in online courses, with all federal and state laws prohibiting discrimination and related retaliation on the basis of race, color, religion, sex, national origin, disability, age, genetic information or veteran status. Further, an environment free from discrimination on the basis of sexual orientation, gender identity, or gender expression will be maintained.

Campus Carry Statement

Texas Senate Bill - 11 (Government Code 411.2031, et al.) authorizes the carrying of a concealed handgun in Texas A&M University-Commerce buildings only by persons who have been issued and are in possession of a Texas License to Carry a Handgun. Qualified law enforcement officers or those who are otherwise authorized to carry a concealed handgun in the State of Texas are also permitted to do so. Pursuant to Penal Code (PC) 46.035 and A&M-Commerce Rule 34.06.02.R1, license holders may not carry a concealed handgun in restricted locations. For a list of locations, please refer to

<http://www.tamuc.edu/aboutUs/policiesProceduresStandardsStatements/rulesProcedures/34SafetyOfEmployeesAndStudents/34.06.02.R1.pdf> (and/or consult your event organizer). Pursuant to PC

46.035, the open carrying of handguns is prohibited on all A&M-Commerce campuses. Report violations to the University Police Department at 903-886-5868 or call 9-1-1.

COVID-19 Statement

Texas A&M-Commerce recommends the use of face-coverings in all instructional and research classrooms/laboratories

“What is Plagiarism

Many people think of plagiarism as copying another's work, or borrowing someone else's original ideas. But terms like "copying" and "borrowing" can disguise the seriousness of the offense:

According to the Merriam-Webster Online Dictionary, to "plagiarize" means

1. to steal and pass off (the ideas or words of another) as one's own
2. to use (another's production) without crediting the source
3. to commit literary theft
4. to present as new and original an idea or product derived from an existing source.

In other words, plagiarism is an act of fraud. It involves both stealing someone else's work and lying about it afterward.

But can words and ideas really be stolen?

According to U.S. law, the answer is yes. The expression of original ideas is considered intellectual property, and is protected by copyright laws, just like original inventions. Almost all forms of expression fall under copyright protection as long as they are recorded in some way (such as a book or a computer file).

All of the following are considered plagiarism:

- turning in someone else's work as your own
- copying words or ideas from someone else without giving credit
- failing to put a quotation in quotation marks
- giving incorrect information about the source of a quotation
- changing words but copying the sentence structure of a source without giving credit
- copying so many words or ideas from a source that it makes up the majority of your work, whether you give credit or not (see our section on "fair use" rules)

Most cases of plagiarism can be avoided, however, by citing sources. Simply acknowledging that certain material has been borrowed, and providing your audience with the information necessary to find that source, is usually enough to prevent plagiarism. If you have retained the essential idea of an original source, and have not cited it, then no matter how drastically you may have altered its context or presentation, you have still plagiarized.” (www.plagiarism.org)

If you plagiarize, you will receive an F for the assignment in question and the matter will be referred to the Provost’s Office.

As Instructor, I reserve the right to amend, modify, or alter this syllabus as the situation may require.

Tentative Course Reading Assignments

Week 1

- 07/08/2024 First Day of Class: Course Overview
- 07/09/2024 Chapter 1: Introduction to Interviewing and Investigating
- 07/10/2024 Chapter 3: The Adversarial System and Pre-filing Investigation
- 07/11/2024 Chapter 4: Formal Discovery in Civil Litigation
- 07/12/2024 Quiz 1: Covering Chapters 1, 3, and 4
- the quiz will open on 07/11 and close on 07/13

Week 2

- 07/15/2024 Chapter 5: Formal Discovery in Criminal Litigation
- 07/16/2024 Chapter 6: Rules of Evidence for the Investigator – Part 1
- 07/17/2024 Chapter 7: Rules of Evidence for the Investigator – Part 2
- 07/18/2024 Chapter 8: Communication Skills for the Investigator
- 07/19/2024 Quiz 2: Covering Chapters 5, 6, 7, and 8
- the quiz will open on 07/18 and close on 07/20

Week 3

- 07/22/2024 Chapter 9: Formulating a Plan of Investigation
- 07/23/2024 Chapter 10: Preparing for a Client Interview
- 07/24/2024 Chapter 11: Conducting a Client Interview
- 07/25/2024 Chapter 12: Preparing for a Witness Interview
- 07/26/2024 Quiz 3: Covering Chapters 9, 10, 11, and 12
- the quiz will open on 07/25 and close on 07/27

Week 4

- 07/29/2024 Chapter 13: Conducting a Witness Interview

07/30/2024 Chapter 14: Identifying and Locating Fact Witnesses

07/31/2024 Chapter 15: Working with Expert Witnesses

08/01/2024 Quiz 4: Covering Chapters 13, 14 and 15
• the quiz will open on 08/01 and close on 08/03

Week 5

08/05/2024 Case Study Interviews and Role Play*

08/06/2024 Case Study Interviews and Role Play*

08/07/2024 Case Study Interviews and Role Play*

08/08/2024 Case Study Interviews and Role Play*

*You will be assigned a specific appointment times in which you MUST be present in a Zoom meeting to conduct your final interviews and client/witness role play.