

Pretrial Practice Workshop- Fall 2014

Professor Anthony Hall

Florida A&M University College of Law

ajhallesq@gmail.com

407-342-2411

Course Time and Location:

The course meets Tuesday, 6:30 p.m. – 9:10, in room 370

Course Materials:

Required Textbook: Skills and Values, Discovery Practice, by David I.C. Thomson, LexisNexis, ISBN: 978-1-4224-2984-6; and other materials as assigned.

Course Description:

This course covers various aspects of pretrial preparation of a civil case. Students proceed from initial client interview through formulating client representational strategy, developing a theory of the case, drafting pleadings, fact investigation, discovery and disclosure (depositions, interrogatories, requests for production), motion practice, settlement conferences and negotiations, and final pre-trial preparation. Electronic Discovery will also be covered briefly. This course also covers professionalism issues that arise in pretrial practice.

Course Objectives:

- Understand the rules of civil procedure that pertain to discovery
- Understand how and when to use the most common litigation documents
- Prepare such documents in a simulated environment
- Interpret discovery responses from opposing counsel
- Develop and adjust litigation strategy based on what you have learned
- Appreciate ethical dilemmas that arise in the discovery context
- Take and defend a deposition
- Negotiate a settlement with opposing counsel
- Agree upon terms for settlement agreement and draft it collaboratively

Prerequisite: Evidence.

Respect:

At all times you will conduct yourself in a respectful manner towards me and your classmates. There is zero tolerance for disrespectful behavior, and I am the sole judge on this issue. If you fail to comply with this standard you will leave the classroom, and you are considered absent for that day. Your grade may be affected by disrespectful behavior.

Attendance:

Attendance and class participation are mandatory. Please see the Student Handbook for the policy regarding class attendance and absences. I will record attendance daily. I do not entertain questions of "excused" absences. If you are not prepared for class on any given day, you are absent for that day. You are responsible for ensuring that your attendance is recorded and to make sure that you are in compliance with attendance requirements of the FAMU College of Law Student Handbook. **You will get a failing grade in this class if you miss more than 3 (three) classes.**

Policy Statement on Non-Discrimination:

It is the policy of Florida Agricultural and Mechanical University to assure that each member of the University community be permitted to work or attend classes in an environment free from any form of discrimination including race, religion, color, age, disability, sex, marital status, national origin, veteran status and sexual harassment as prohibited by state and federal statutes. This shall include applicants for admission to the University and employment.

Academic Honor Policy:

See the College of Law Student Handbook, Section IX, Student Code of Conduct.

ADA Compliance:

To comply with the provisions of the Americans with Disabilities Act (ADA), please advise the Dean of Students of accommodations required to insure participation in this course. Documentation of disability is required and should be submitted to the Center for Disability Access and Resources (CEDAR). For additional information please contact the CEDAR at (850) 599-3180. (See also the College of Law Student Handbook, Section XI, Students with Disabilities)

See ALC Statement:

http://www.famu.edu/Assessment/UserFiles/File/07-08_summaries/law/FAMOUS-2007-2008-JD-Law.doc

Grading:

Your final grade will be based upon your preparation of various weekly assignments and a final written submission. **Lack of class preparation and/or participation will negatively affect your final grade.**

Food or Drink:

Not permitted at all; you will be dismissed from class if you eat or drink in class. This is an honor code violation.

Assignments:

Week 1: Ch. 1: Planning for Discovery

Week 2: Ch. 2: Initial Disclosures

Week 3: Ch. 3: Interrogatories

Week 4: Ch. 4: Answers to Interrogatories

Week 5: Ch. 5: Document Requests

Week 6: Ch. 6: E-Discovery

Week 7: Ch. 7: Answers to Document Requests

Week 8: Ch. 8: Motion to Compel Production

Week 9: Ch. 9: Expert Witness Disclosure

Week 10: Ch. 10: Depositions of Fact and Expert Witnesses

Week 11: Ch. 11: Requests for Admissions

Week 12: Ch. 12: Answers to Requests for Admissions

Week 13: Ch. 13: Motion in Limine

Week 14: Ch. 14: Settlement