

Pretrial Skills Fall 2013
Wednesday 10:20 am-12:30 pm
Professor Jessica Mason Pieklo
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Course Objectives and Learning Outcomes:

The primary objectives of this course are to provide pretrial information and skills background and training. Students will learn the lawyer's role in discovery and fact development by creating a discovery plan, managing the discovery process, and working on deposition skills. Students will also draft and respond to written discovery requests, including interrogatories and document requests; draft discovery deficiency letters; and prepare motions to compel.

Required Text and Materials:

Roger s. Haydock, David F. Herr and Jeffrey W. Stempel, *Fundamentals of Pretrial Litigation, 8th ed.*, (West, 2011), ISBN 978-0-314-26769-6

Grades and Attendance:

Your grade will be calculated based on the following:

Final examination, 80%: Final exam will be a take-home exam during the designated exam weeks. Limited materials will be allowed.

Exercises and assignments, 10%: Students are expected to participate in periodic in-class exercises and assignments. Students will be notified in advance if a particular exercise will be turned in for credit.

Participation, 10%: Active engagement and participation in class is expected.

Technology Policy:

Students may use their laptops or other electronic devices in the classroom for course-related activities only. Students are encouraged to bring to class outside materials such as newspaper or magazine articles, blog posts, etc.. that are topical or related to the coursework.

Class Schedule

Wednesday, August 21st: Litigation Planning

- Reading: Chapter 1 (pp. 3-43)

- For class discussion: Review questions 1,3,5,6,10,11,12,13,15.

Wednesday, August 28th: Investigation

- Reading: Chapter 2 (pp. 45-86)
- Questions for class discussion: 1-9; 21,26,29,37.

Wednesday, September 4th: Pleadings

- Reading: Chapter 3
- Questions for class discussion: 2,3,6,9,11,12,17,18,26,28

Wednesday, September 11th: Motions Attacking Pleadings and Jurisdiction

- Reading: Chapter 4
- Questions for class discussion: Review all problems, prepare problems 2 and 13 for detailed class review

Wednesday, September 18: Scope of Discovery

- Reading: Chapter 5, Sections 5.1-5.7 (pp. 213-255; 275-#17 on p. 280)
- Questions for class discussion: Review problems 1-17; prepare problem 11 for detailed class review

Wednesday, September 25: Scope of Discovery (*continued*)

- Reading: Chapter 5, Sections 5.8-5.12 (pp. 255-275; 280-280)
- Questions for class discussion: Review problems 18-38; prepare problems 19 and 30 for detailed class discussion.

Wednesday, October 2nd: Introduction to Depositions

- Reading: Chapter 6 (pp. 291-267 through problem 11)
- Questions for class discussion: Review problems 1-11
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Wednesday, October 9th: Depositions Continued.

Wednesday, October 16th: NO CLASS FALL BREAK

Wednesday, October 23rd: Interrogatories and Requests for Production

- Reading: Chapters 7 and 8
- Questions for class discussion: Review all problems; prepare problems 1 and 12 in Chapter 7 and problem 2 in Chapter 8 for detailed discussion.

Wednesday, October 30th: Interrogatories and Requests for Production Continued

Wednesday, November 6th: Requests for Admissions and Enforcing Discovery Requests

- Reading: Chapters 9 and 10

Questions for class discussion: Review all problems in Chapter 9 and 1-14 in Chapter 10; prepare problems 2 and 11 in Chapter 9.

Wednesday, November 13th: Pretrial Motions Directed to the Merits and Trial; Motion Exercises

- Reading: Chapter 11, 12 and 13
- Questions for class discussion: Review problems 1-4 in Chapter 11 and 1,6,10,11 and 12 in Chapter 13; also will complete memorandum drafting exercise in class.

Wednesday, November 20th: Motion Practice Continued and Settlement of Litigation

- Reading: Chapters 14 and 15
- Questions for class discussion: Review problems 1-8 in Chapter 15; also will discuss final exam.