

CIVIL PROCEDURE
CLASS SYLLABUS - Fall 2010

- COURSE NAME: Civil Procedure
- COURSE #: F231A
- PROFESSOR: Martin L. Seeger, IV, Esq.
Babin & Seeger
Phone: (707) 526-7370
E-mail: mseeger@babinseeger.com
- WHEN: Wednesday evenings, 6:00 P.M. to 9:00 P.M.
Starting on September 1, 2010
- UNITS: 3 units
- REQUIRED TEXTS:
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1. Pleading and Procedure, State and Federal, Cases and Materials, 10th Edition (2009) Hazard, Tait & Flecher University Case Book Series, Foundation Press ISBN#9781599416038.
 2. 2010 Supplement to Pleading and Procedure, State and Federal, Cases and Materials, 10th Edition; Hazard; Foundation Press; ISBN#1599418096
 3. California Civil Procedure Handbook: Rules, Selected Statutes and Cases and Comparative Analyses 2010-2011 Edition - LexisNexis, ISBN # 978-1-4224-7777-9
- GRADING:
- | | | |
|-----------|---|-------------------|
| 90-100% | A | Outstanding |
| 80-89% | B | Superior |
| 70-79% | C | Satisfactory |
| 65-69% | D | Unsatisfactory |
| Below 64% | F | Failing No Credit |
- GRADING: The grade will be comprised of the results of a midterm examination [25% of class grade] and the final examination [75% of the class grade].
- ATTENDANCE: There are 14 class sessions. The first class begins Wednesday, September 1, 2010 and the last class is Wednesday, December 1, 2010 The final exam constitutes the 14th class. A minimum of 80% attendance is required to

complete the class and no more than three classes can be missed in a semester.

GOALS: This class will provide an understanding of the way in which people litigate in the civil courts. You will gain an understanding of general civil procedure with an emphasis on federal civil procedure. The first semester will cover basic issues of jurisdiction, venue, parties and claims, pleadings and motions.

PREREQUISITES: Successful completion of first year.

**EMPIRE COLLEGE SCHOOL OF LAW
CIVIL PROCEDURE - FALL 2010
PROF. MARTIN L. SEEGER, IV**

READING ASSIGNMENTS

CLASS 1: September 1 **Chapter 1. Introduction**
Introduction - Structure of a Lawsuit
Pages 1 -15
Structure of the Court System
Pages 15-19

Chapter 2. Due Process in an Adversarial System
Note on the Adversarial System
Pages 47 - 49
The Elements of a Fair Hearing
Pages 96 -119
Read Pages 3-10 *Cal. Civil Proc. Handbook*

CLASS 2: September 8 **Chapter 3. Choosing the Proper Court**
Personal Jurisdiction
Read Pgs. 158 - 188

- CLASS 3: September 15 Read pgs. 189 - 242
- CLASS 4: September 22 Read pgs. 73 - 82 *Cal. Civil Proc. Handbook*
Read pgs. 247 - 276
Read pgs. 279 - 290
- CLASS 5: September 29 Read pgs. 95 - 101 *Cal. Civil Proc. Handbook*
Read pgs. 294 - 323
- CLASS 6: October 6 Read pgs. 88 - 91 *Cal. Civil Proc. Handbook*
Read pgs. 327 - 346
Read pgs. 348 - 364
Read pgs. 367 - 370
- CLASS 7: October 13 Subject Matter Jurisdiction
Read pg. 71 *Cal. Civil Proc. Handbook*
Read pgs. 371 - 408
- CLASS 8: October 20 Read pgs. 409 - 447
- CLASS 9: October 27 Read pgs. 91 - 95 *Cal. Civil Proc. Handbook*
Read pgs. 101 - 102 *Cal. Civil Proc. Handbook*
Read pgs. 447 - 486
- CLASS 10: November 3 **Chapter 4: The *Erie* Problem**
Read pgs. 487 - 516
- CLASS 11: November 10 Read pgs. 517 - 561
- CLASS 12: November 17 Read pgs. 561 - 584
- Chapter 5: Pleadings**
Read pgs. 585 - 603

CLASS 13: November 24 Read pgs. 43 - 64 *Cal. Civil Proc. Handbook*
Read 603 - 638
Read 641 - 652

CLASS 14: December 1 Catch up and Review

CLASS 15: TBD **MIDTERM EXAM**