LOYOLA UNIVERSITY OF CHICAGO SCHOOL OF LAW
CIVIL PROCEDURE (LAW 113-003) – FALL 2018 – SYLLABUS 1.0
Professor Ho (cho@luc.edu)

Course Logistics:
Class Time:  Tu/Th: 2pm – 3:40 pm (without a break)   Class Location: Room 1403
Office Hours:
• Tuesdays 1-2 PM Room TBD (David); Thursdays 3:45-4:45pm, Room TBD (Alex)
• Thursday 5-6 pm, Room 1409 (Prof. Ho)

Course Overview: You will learn the chronology of a civil lawsuit, beginning with where to properly file a case, including how to add parties and claims. You will also learn when you must bring claims or else lose the right to bring them (and potentially open yourself up to legal malpractice for missing this!). You will also develop competency in fundamental lawyering skills such as how to read and interpret rules and statutes.

Required:
(1) Register for TWEN, web-based platform hosted by Westlaw (passwords provided during orientation)
(2) Civil Procedure: An Interactive Guide by Upchurch, Gilles & Ho (forthcoming Carolina Press). When published, this book will be entirely online and will have many different types of interactive questions and explanations. Since the book is not yet published, relevant portions will be made available to you online (primarily through TWEN) to approximate the experience. This is not a standard casebook – it is primarily questions (with explanations provided after you answer) with minimal cases. This is completely free to you, but the material is copyrighted. Accordingly, you may not distribute (by sending it electronically or providing a print copy) any portion of the materials to someone outside of class without my written permission. Unauthorized distribution is a violation of copyright law, and can result not only in substantial monetary damages from a civil law suit, but also constitute a criminal offense. See 17 USC 506.
(3) A copy of the 2018 Federal Rules of Civil Procedure, including federal jurisdiction statutes (28 USC XXX) [Rules]. You can purchase any version, but I have asked the bookstore to stock the cheapest version known to me ($18.50) by Michigan Legal Publishing.com. You can rely on free online versions, such as from LII, or on a phone app. However, you will not have internet access or access to your phone during the final. You must have a copy of these materials at all times in the classroom – even if the internet is “down” or you forgot your laptop. Whatever you do, be sure to get a CURRENT edition since the rules do in fact change every year.
(4) Register for Top Hat response system to enable you to respond to interactive questions during class using any web-enable device. You will get an email directly from TopHat about joining (our join code is 751833); there are also TopHat instructions on how to create an account. The discounted Loyola rate should be $16/semester, which is what I recommend, rather than a full year or three year subscription (since few faculty use this). If you have issues, you can contact ITRS at itrs@luc.edu. We will be using this Day 1 of class.
Other Resources (on reserve at library – circulation desk)

• Most students find that they do not need any additional commercial resources to supplement class since we have so many materials. However, I know that some students still want to know about additional resources, so I’m including a list of those that I think are best. However, I do not recommend that you buy everything at the beginning of the semester before you find out what, if anything, you need. Your money could be better spent on something else than a book that you do not end up using. That said, here are some notes about the recommended books, which you can also check out in my office in addition to at the library:


• If you want additional practice, these are the two best sources in my mind:
  o Glannon, Civil Procedure: Examples and Explanations (7th ed., 2013) [E&E] (if you only buy one supplement for this class, this would be my suggestion; I recommend using it after we have covered a topic in class to give yourself additional practice – remember to try to answer questions on your own before checking official answers to get the best use)
  o Glannon, The Glannon Guide to Civil Procedure (3d ed, 2013) (good explanations of how to choose multi-choice answers, but fewer questions overall than E&E; some students really like this one, but the questions are more basic than you will ultimately need to master for the final).

• If you have questions about other available materials, feel free to ask me. I generally do not recommend “CALI” lessons for our class; they are free, but in the past students have found errors. In addition, I do not recommend relying on outlines of Civil Procedure from BarBri or commercial outlines (like Emmanuel’s or Gilbert) since these are attempts to cover content of any class in the US, when there are many differences in coverage of the class even within the same school. Plus, you are lucky to have tutors who will give you feedback on your own outlines for our class, which is far preferable. These sources in my mind are only for students at other schools that don’t have the benefit of tutors.

Educational Goals, Objectives and Student Learning outcomes

This class aims to serve many of the educational goals, objectives and outcomes that the faculty has identified as desirable in gaining fundamental lawyering skills in the context of learning the topic of civil procedure. Some of these objectives also mesh with the University goals for educational development and assessment, pursuant to which this course and every law school course will be assessed later in the semester. The key University goals that this course aims to promote are:

(1) learning fundamental principles,
(2) learning to apply course material,
(3) developing specific skills needed by professionals and
(4) developing skill in expressing yourself orally or in writing.

As you may know, Civil Procedure is a required course since the material is not only relevant to the practice of law, but also tested on the bar exam. So, mastery of these concepts is important for all
law students.

Here is a sampling of things that you should know by the end of the course, as well as the relevant topic in italics:

- The overall chronology of a civil litigation, beginning with the first legal document (pleadings, discovery, summary judgment/JMOL motions, trial, appeal)
- What court(s) you may begin (or, file) a civil law suit, as well as the court(s) where you can potentially move your case to (subject matter jurisdiction, personal jurisdiction, venue)
- How you can add more parties and legal claims to a case (joinder; amendments)
- Legal rules that help parties obtain information to prepare for trial (discovery)
- What law federal district courts apply in cases with a state cause of action. (Erie doctrine)
- What information courts will not consider because it is similar to what other courts have previously considered (preclusion)
- How to identify legal issues regarding all of the above when given a new fact pattern and make critical and effective arguments about how to apply relevant rules to address the issue
- How to read a rule or statute that you have never seen before and know what it means. This may seem intimidating, but it is an important skill for budding lawyers since rules are always changing and in practice.

**Teaching and Learning Philosophy**

I strongly believe, and pedagogical research supports, that rather than asking you to “passively” read page after page of the casebook material, you learn best when you actively engage the material, checking your learning as you go. That is a fundamental premise of our forthcoming interactive guide to Civil Procedure. This skill includes trying to answer questions to which you don’t have all the answers. This is not only a key lawyer skill, but studies show that taking (and even failing!) tests before material is introduced helps improve learning. Accordingly, course requirements include a number of components aimed to promote active learning before, during and after class.

**CLASS PREPARATION**

1. **What will we read?**
   - You will be reading cases, statutes, rules and the Constitution, as well as many questions. In general, you will read relatively few cases in this class compared to your other classes.

2. **What will assignments look like (Study Guides)?**
   - For each week, there will be a Study Guide (in MS Word format) every week available by Friday (posted to TWEN) that provides you with reading assignments, as well as questions. The Study Guide will include questions in the interactive TWEN quiz, but the explanations are only available online. So, you are strongly encouraged to answer the questions through the TWEN quiz online (which you can later print out, including the explanations). This is especially true since some questions assume that you have read the explanations only available online.
   - After the first few weeks of class, these will include an exam-type essay question.
You will be required to post your best effort to answer these hypos to TWEN. There will be plenty of opportunity to obtain feedback – see III. Grading (4)(Will I get any feedback before my final grade?).

3. **WHAT ARE TWEN RECAP QUIZZES?**
   - There will be weekly TWEN quizzes of material after we have covered it in class. As with the pre-class quizzes, there will be explanations on TWEN. However, unlike the pre-class quizzes, questions will only be on TWEN. These will tend to be tougher than the pre-class quizzes since they test your understanding after not only the pre-class quiz (and explanation), but also class discussion. Similar to pre-class quizzes, these quizzes, including explanations, can be printed for later review. You can also re-take the quizzes online.

4. **HOW DO TWEN QUIZZES RELATE TO MY UNDERSTANDING OF THE MATERIAL?**
   - TWEN quizzes are intended to actively engage you with learning the material. Students often find it helpful to re-take quizzes when they struggle with the quiz initially. You should definitely do so if you discover in class that you performed below the overall class average, which I will provide in class and post on TWEN.
   - These quizzes provide me with information about what the class as a whole is struggling with. So, questions that everyone seems to get, I’ll skip and instead focus on areas where more people struggle.

5. **How much time should I expect to spend on class preparation?** This may differ among students. But, the ABA standards recommend **you should expect to spend 200 minutes per week in class (3.3 hours), plus a minimum of eight hours of study outside of class, for a total of at least 11.3 hours per week.** Feel free to discuss with your tutors about how to schedule your time and use it effectively to succeed in this class. After all, they successfully did this last year!

**CLASS EXPERIENCE**

1. **CLASS ATTENDANCE AND PARTICIPATION**
   - You are expected to attend class regularly and be fully prepared to discuss the assigned material.
     - Class attendance means that you are present for the entire duration of the class – barring exceptional circumstances in which you email me in advance, you should always be on time. Otherwise, you may not be considered to have attended class.
     - ABA requirements bar students from taking the final exam (and getting credit) if they miss a substantial number of classes. In addition, since most students attend virtually all classes, failure to do so will hinder success in class.
     - That said, you should not attend class if you are sick (and likely to get others sick). Also, there may occasionally be a situation where attendance in class is difficult, such as if you need to get medical treatment, or have a family emergency (such as a funeral). In such cases, you should contact me by email in advance, or as soon thereafter as possible.
• Adequate participation in class means a good faith effort to understand the material; it is entirely possible that you adequately participate without correctly responding to every question posed to you in class. If you have made a good faith attempt to understand the material (tried to understand and can at least tell me what you’re stuck on), I will help guide you to the right answer. How do you know if you’ve made an adequate effort?

• “Get Out of Jail” Pass. I understand that there are rare occasions when you may be in class, yet unprepared to discuss the material. In such situations, I will not call on you if you leave a note on the podium before class starts to that effect (no reason required – just your name). I do not expect this to happen more than twice during the semester, barring extenuating circumstances. If I do not receive a note and I discover that you are unprepared for class, I will consider you to have failed to attend and/or fully participate in class, which will negatively impact your participation grade. These passes only apply for situations where you are physically present in class. In addition, if a student tells me about an extenuating circumstance (such as being notified of a death in the family), I may excuse them from class discussion.

2. WHAT SHOULD I EXPECT?
• Each class will generally begin with any announcements, followed by a brief recap/segue from the prior material.
• PowerPoints will be used in class and made available immediately before class, but without slides of “clicker” questions for the entire class to answer via Tophat.
• I will call on individual students in class (see #3).
• Class will include questions posted to the entire class to answer via whatever device they have registered to use on TopHat. After answers are submitted, I will display a graph of the class responses that shows how many students answered each question. We will usually then briefly discuss the answers, including why one is better than the others. All questions will be made available after class to enhance your studying. You can take them again and see if you can get them right on your own.
• There will be lots of opportunities to ask questions. Not only are you encouraged to ask questions, you are encouraged to listen to the questions of your fellow students (as well as my answers).
  o At the beginning of the semester, I may seem overly indulgent with what may seem redundant questions. However, it is very important to me that students feel free to ask questions because that helps me understand what issues are confusing. In addition, please note that some students may seem to re-state information. If you are not one of these students, try to be patient with others who do this. Although it may seem like a waste of time, this is how some students learn best, whereas others learn best with visual aids. If you find yourself frustrated with one of your peers, consider how you might feel if methods tailored to your learning style were cut back or eliminated. I will do my best to appeal to a variety of learning styles so that the material will be accessible to all.

3. HOW WILL I BE CALLED ON AND WHY IS THIS NECESSARY?
• Students will be randomly called on. This is the traditional way that students participate in class and prepare for the realities of legal practice in which they will often be asked
to deliver an opinion orally, and often without notice.

- This random questioning is intended to aid you in improving oral communication skills.
- I understand that many students are eager to not have any missteps whatsoever, so I try to make the process of participation as painless as possible – I call on many students during the course of an hour (I aim for 10-12) and will endeavor to give follow-up hints to any student who appears to making a good faith attempt to understand the material.

4. **How should I answer Top Hat (“clicker”) questions and why do I need to answer?**

- The questions are intended to help gauge your understanding of the material and participate in a very different manner than being singled out with a direct oral question.
- You should answer because *any* answer counts towards your class participation score, but failure to do so will hurt it. In addition, incorrect answers actually help me figure out what students are confused about so that I can clarify – without revealing who is confused.
- The questions are aimed to help facilitate active learning. You should worry less about getting the correct answer and more about why certain answers are correct after we have discussed them. This is especially true in the event that there is a typographical or other error that I discover in class that calls into question what I may have originally designated as the “correct” answer. I will do my best at writing unambiguous and clear questions. However, I want you to always focus on the learning process.

5. **Should I take notes on a laptop or by hand?**

- I am not banning laptops in class, although there is substantial research indicating that students who take notes on laptops do not learn as well because they try to record every word that is happening, rather than understanding what is said. Recent research shows that even when students are told about the problems of taking notes on laptops, they still end up transcribing too much and have lower levels of conceptual information in the long term which is essential to law school success.
- If you decide to use a laptop, please remember that if used inappropriately (any non-civpro material), it may serve as a distraction to everyone around and in back of you who can easily see your screen. In addition, while you may think that you can multitask, studies show otherwise. Accordingly, you may not only distract others, but also impede your own learning.

6. **Do not inappropriately use electronic devices**

- I will consider students who inappropriately use laptops or other electronic devices to be absent from class (because they are indeed mentally absent) for the purpose of class attendance and participation.
- If I find students abusing the privilege of using laptops or other electronic devices, I reserve the right to ban their use for individual students. This will negatively impact a student’s grade since you need an internet-based device to participate in class.
III. GRADING

1. WHAT IS FACTORED INTO MY GRADE?
   A. 85% of your grade is based on a “open book” final examination at the end of the term;
   B. 15% of your grade will be based on a class participation grade.

2. WHAT ARE THE COMPONENTS OF CLASS PARTICIPATION?
   o TWEN quizzes (timely completion; your score is NOT relevant to final grades)
   o In-class TopHat questions (answer required, but need not be correct)
   o “regular” oral participation
   o exam-type hypos (timely and professional completion by stated deadline)
   o Other? I reserve the right to give other assignments, such as drafting legal documents, or multiple-choice questions and answers, if I feel that would improve understanding of the material. Any such additional assignments would similarly count towards the overall class participation grade.

3. HOW WILL CLASS PARTICIPATION BE GRADED?
   o For Top Hat clicker questions and quizzes, as long as you timely answer every question by the deadline, you will get full credit. You can get every question technically wrong and still get full credit. The reason for this is that I want to know whether the class as a whole understands the material, so I am giving full credit to help reduce anxiety about getting the “right” answer. If a substantial number of students do not understand the question, I want to know so that I can try to help alleviate the confusion.
     o What is timely submitted? In general, hypos are timely submitted before class begins, the day that they are discussed. For TWEN quizzes, follow the guidelines on TWEN.
   o For Exam-type hypos, if you submit them timely and in a professional manner, you will get full credit. Like other questions, you need not have the correct answer. However, you need to make a good faith attempt. So, for example, if there are two questions, and you only answer one, that would not count as completion in a professional manner. Alternatively, if the assignment was an essay answer, and you submitted bulleted notes, that would not be professional.
   o Remember that it is your responsibility to participate via TopHat. That means you must remember to bring a registered device and use it to answer all the questions to get full credit. If you leave your device at home and/or it lacks power, you cannot get credit that day. Also, keep in mind that if you are having trouble deciding on the “right” answer, you should just focus on clicking on an answer to make sure you get credit. If it turns out that your hesitancy is because you need more time to work through the answer than your classmates, you may need to develop a deeper understanding of the material. Feel free to contact me and/or one of the tutors for help. Since time will be a factor for completing the exam and there is a multiple-choice section, mastering the ability to address these questions quickly, yet correctly, is an important skill to master.
   o Although responding to TopHat questions is factored into your class participation grade, you need not worry that missing class occasionally due to illness will negatively impact this grade. There are so many questions over the course of the semester that missing a few classes has no substantial impact. In addition, if you are contagious, it is better not only for you, but the entire class to stay home to avoid getting everyone else sick.
For oral class participation, I expect that students should easily be able to adequately participate. Some students may have higher oral class performance because of exceptional quality of comments, rather than simply frequency.

4. **WILL I GET ANY FEEDBACK BEFORE MY FINAL GRADE (YES!!!)**
   - **Exam type hypo Answer – anonymous submissions**
     - Most weeks we will do one exam-type essay question and I will review and provide comments on 3-5 (anonymous) student answers. I will seek new students every week so different students can get an opportunity.
     - My comments to the anonymous answers will be posted on TWEN for all students to see and benefit from
   - **Exam Type Hypo Answer rewrites**
     - ANY student can rewrite an answer after we have discussed it in class and they have reviewed my comments to the initial anonymous student submissions. These hypo rewrites can be sent to me or one of the tutors (but not both). If any one of us gets flooded, we will redistribute the hypos.

5. **MIDTERM**
   - The first “exam” you will encounter in this course will be an open-book “midterm” practice exam in late September/early October. The goal of the midterm is to (1) encourage you to review material covered thus far in the semester, (2) allow yourself to “test” your study habits and exam-taking skills, including your use of notes and outlines under test conditions so that you can make any necessary modifications before the final, and (3) generally lessen final exam anxiety.
   - Every student will get individual feedback and there will also be feedback to the class as a whole in the form of a memo.
   - This practice exam will have no effect on final grades. In fact, there is no true “grade” given – students will be given some variant of a “check” on the written portion of the exam and a raw score together with the average score on the multiple-choice portion. Since the practice exam is intended to be a preview of the final, it will have the same components as the final: a multiple-choice portion, an essay portion, and a “mystery” statutory provision with short-answers.

6. **WHAT DO I NEED TO KNOW NOW ABOUT THE FINAL EXAM?**
   - It will be comprehensive, covering everything from the beginning of the semester.
   - It will be “Open Book.” It is technically open book in that you can bring any materials you want. However, I would advise you **prepare for the final as if it were a “closed book” exam.** The better you know that material without referencing your notes etc., the more likely you are to finish the exam and demonstrate your knowledge.
   - You are permitted to take the final exam on a laptop you provide (more information available later from the computer services department). However, you will not have access to files on your laptop or the Internet during the exam.
How Can I get help?

1. HOW DO I GET HELP?
   - ASK QUESTIONS IN CLASS
     - Class is meant to help you learn. I do my best to anticipate questions, but I admittedly don’t have ESP. So, please help me out by letting me know what is confusing. Although you can always ask questions after class, addressing confusion during class is ideal since other students likely have similar questions.
   - TWEN
     - There will be a Q&A forum where you can post questions at any hour of the day (or night) and to which others can respond, including your tutors, your classmates, or myself. I have currently set the Q&A forum to permit anonymous posts to encourage students to post questions who might be disinclined to do so if their name was attached. However, please note that I reserve the right to turn this feature off if posts are improper and/or disrespectful.
     - I strongly encourage students to post substantive questions to TWEN; many students often have similar questions, so it is most helpful to the class as a whole if you post your question in the online Q&A forum. Another classmate may respond, and I will always eventually chime in.
     - I encourage you to attempt to answer each other’s questions since I will not be available throughout your law school career. In addition, at the end of the semester, it becomes increasingly difficult for me to answer questions while also writing a good final exam such that I will only be answering questions via TWEN. So, I encourage you to get used to helping each other out on this forum.
   - TWEN VERSUS EMAIL
     - For substantive class questions (i.e. I am confused about what topic X means), please post to TWEN, instead of emailing me directly. If you email me about a substantive question, I will refer you to TWEN. The reason I do this is to encourage you to get used to answering each other’s questions for a time when I will no longer be available to answer questions, such as at the end of the semester. In my experience, students often can answer each other’s questions and this is also a useful way to learn and reinforce your understanding. On the other hand, if something in the material seems wrong, such as a possible typo, such that the reading assignment does not make sense, that is a good time to email me directly since another student is unlikely to be able to help.
   - OFFICE HOURS
   - TUTORS
     - You may seek assistance from either of your two academic tutors. Both of these students excelled in my class last year. They will each attend class at least once a week and hold their own office hours. They will also be available to meet at time(s) other than their regularly
scheduled office hours if you have an unavoidable conflict with their regular office hours.

2. Your tutors will both introduce themselves the first day of class and give some initial tips about how to prepare for class, as well as how to effectively take notes.

3. During regularly scheduled tutor office hours, there may sometimes be a “themed” office hour on a particular topic. You will be told these in advance. In addition, once we start doing exam-type hypos, the Thursday office hour will often go over the exam-type hypo in much more detail than we do in class.

4. Your tutors for this class, as well as other classes will be providing several “all tutor” sessions during the semester. These sessions will focus both on the substantive material of the class, as well as study tips, such as how to take notes, prepare “outlines,” to study for exams, and other exam tips.

5. You should also know that while the tutors are generally available throughout the semester, they will cease tutoring activities towards the end of the semester to focus on her own classes. You will be notified of the date when they transform from tutors into a “pumpkins” (for your purposes), so that you can plan accordingly.

- **ME (room 1409)**
  1. You do not need to make an appointment to stop by during regular office hours. You also need not have previously contacted a tutor for assistance.
  2. If you drop by my office unannounced, I cannot promise that I will be able to do so at that time.
  3. Please refrain from dropping by my office immediately before class – that is the absolute WORST time to see me since I’m usually preparing for class. If you want to catch me in close proximity to class, I would suggest that you see me after class. I generally don’t leave the classroom until students have stopped asking questions.

**Getting to Know You**

Although my main goal is to help you learn the material for this class, I’m also interested in getting to know you individually. To that end, I’ll be setting up sign-up sheets on TWEN to meet students in groups for lunch outside of class. These are intended for us to get to know each other, and not an office hour. I will most definitely not be grilling you on any civil procedure topics!

**Tentative Outline of Course Topics**

The following is a tentative outline of topics that we will cover during the fall semester. I have intentionally omitted specific dates for topics to allow flexibility. In addition, the reading under “Materials” is skeletal since I anticipate providing you with more detailed reading assignments in weekly study guides online by the Friday preceding each class (on TWEN).
I. WHERE TO SUE?

1-3 INTRODUCTION TO JURISDICTION

1-3 SUBJECT MATTER JURISDICTION (SMJ): FEDERAL VS. STATE COURT

4-6 PERSONAL JURISDICTION (PJ): WHICH STATE(S)?
Constitutionality
Long Arms

6 SERVICE OF PROCESS & NOTICE: HOW TO INFORM DEFENDANT OF SUIT
Service of Process
Constitutionality
Rule 4

7 (est) (UNGRADED) MIDTERM

VENUE ISSUES: WHICH DISTRICT WITHIN A STATE?
- Basic Venue; Transfer 28 USC 1391; 1404

II. STARTING THE CASE

8 INTRODUCTION TO PLEADINGS
First Document: complaint Rules 3, 8, 9
Overriding Restrictions: Rule 11 Rule 11
Defendant’s First Response (& waiver) Rule 8, 12

DEFENDANT OPTIONS
Answer; Waiver of Defenses

COMPLICATING THE CASE

9 Amendments Rule 15(a); Rule 15(c)
Easy Joinder
- Rules 18 (claims), 20 (parties),
- SMJ – Review (1331 & 1332) & 1367 SMJ

10 Defendant Claim Joinder
- Counterclaims and cross claims (Rule 13)
- Rule 14 impleader

11 COMPLEX JOINDER
Rules 19 (necessary parties); 24 (intervention);

11-12 PRECLUSION
<table>
<thead>
<tr>
<th>Wk</th>
<th>Date</th>
<th>Topic</th>
<th>Materials</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td><strong>LEARNING ABOUT THE CASE</strong></td>
<td></td>
</tr>
<tr>
<td>12-13</td>
<td></td>
<td><strong>DISCOVERY</strong></td>
<td>Rule 26</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Scope of discovery</td>
<td>Rules 30, 33, 34, 37, 45</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Discovery tools</td>
<td>Privileged Information (A/C &amp; WP)</td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>DECIDING THE CASE</strong></td>
<td></td>
</tr>
<tr>
<td>14-15</td>
<td></td>
<td><strong>“EASY” ERIE</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>SUMMARY JUDGMENT (PRE-TRIAL)</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>JUDGMENT NOTWITHSTANDING THE VERDICT (AT TRIAL)</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>“MIDTERM II”</strong></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>• This will provide you another opportunity of exam-type questions, including</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>multiple-choice, mystery statute, and essay questions. This will be assigned for</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>you to do at home, but we will go over issues in class</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td><strong>MISCELLANEOUS</strong></td>
<td></td>
</tr>
<tr>
<td>Nov 23-26</td>
<td></td>
<td>Thanksgiving</td>
<td></td>
</tr>
<tr>
<td>Th, 11/28</td>
<td></td>
<td>REVIEW SESSION (LAST CLASS)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>[The review session will be based primarily on questions submitted prior to the</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>session. More information will be available later in the semester]</td>
<td></td>
</tr>
<tr>
<td>Tu, Dec. 1</td>
<td></td>
<td>Law School “Make-up”/Study Day</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(We will only meet if class has previously been canceled (and not made up) earlier</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>in the semester; the same should be true for your other usual Tuesday classes. I will</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>try to avoid using this for a make-up class.)</td>
<td></td>
</tr>
<tr>
<td><strong>TUES, DEC. 5: TORTS FINAL (1PM) – Corboy Law Center, Room TBD</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FRIDAY, DEC. 8 PROPERTY FINAL (9 AM) - Corboy Law Center, Room Location TBD</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>MON, DEC. 11 (9 AM): CIV PRO FINAL – Corboy Law Center, Room TBD</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Top 5 List of Study Tips¹

1. Use your study guides
   • These are tailored to our class much more than anything you could buy. They should help you not only prepare for class, but also the final exam.

2. Focus on deep, rather than cursory learning
   -- Try to put cases and rules in “plain English” so that you understand their components; quoting is not recommended and strongly discouraged.

3. Look for the “Big Picture”
   -- try to understand why we study each case
     -- what does the case illustrate? how is it related to the preceding case?
     -- how is it related to the larger topic?
   -- try to understand which Federal Rules of Civil Procedure correspond to what topics

4. Practice Makes Perfect…
   - learning does not occur by osmosis, and especially not for a tough topic like civil procedure; time invested in this class will pay dividends at finals
   - develop your own study materials and outlines
   - work through problems with other students

5. Try to remain as calm and level-headed as possible
   • do not attempt to study 24/7
   • do whatever you need to do to relax outside of law school
   • remember that there are no bonus points for total melt downs!

¹ These are only preliminary study tips. Your tutors will be giving you additional guidance on how to prepare for class and take effective notes, as well as how to best prepare for the exam. Tutor tips will begin the first day of class!