

# **CIVIL PROCEDURE: The Craft, Theory & Practice of Litigation**

Fall 2009

Monday 9 a.m. – 10:15 a.m.

**Professor Washington – Georgia State University College of Law**

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**Office Hours: Monday 10:30 a.m. - 12:00 p.m. and by appointment.**

**Required Texts:** Yeazell, *Civil Procedure* (7<sup>th</sup> Edition); 2008 *Federal Rules of Civil Procedure*; *A Civil Action (“ACA”)*; *A Documentary Companion to A Civil Action*

**Course Requirements:** You are expected to complete the assigned readings for each class, to attend class on time, and to participate consistently and meaningfully in class discussions, group projects, presentations and assigned case problems. Students who are more than 10 minutes late will be considered absent. Students with more than two (2) absences will not be permitted to sit for the final examination. Reading assignments will be dictated by the pace of class discussion. Accordingly, reading assignments will be announced on a weekly basis through the course TWEN site. This syllabus provides a general road map of course coverage. Modifications may be necessary.

**Grades:** Your final grade for the course will be based on your final exam performance at the end of each semester. Your first semester examination grade is worth 50% of your total grade and your second semester examination grade is worth 50% of your total grade.

# **TOPICAL COURSE COVERAGE**

## **PERSONAL JURISDICTION**

**The Origins**

**The Modern Constitutional Formulation of Power**

**Specific Jurisdiction**

**General Jurisdiction**

**Consent as a Substitute for Power**

**The Constitutional Requirement of Notice**

**Self-Imposed Restraints on Jurisdictional Power: Long-Arm Statutes, Venue, and Discretionary Refusal of Jurisdiction**

## **SUBJECT MATTER JURISDICTION OF THE FEDERAL COURTS**

**The Idea and Structure of Subject Matter Jurisdiction**

**Federal Question Jurisdiction**

**Diversity Jurisdiction**

**Supplemental Jurisdiction**

**Removal**

## **THE ERIE PROBLEM**

**State Courts as Lawmakers in a Federal System**

**The Limits of State Power in Federal Courts**

**De-Constitutionalizing Erie**

**Determining the Scope of Federal Law: Avoiding and Accommodating Erie**

**Determining the Scope of State Law: An Entailment of Erie**

**AUGUST 17, 2009 READING ASSIGNMENT: The Lottery**  
<http://www.americanliterature.com/Jackson/SS/TheLottery.html> Yeazell pgs. 1-12

**AUGUST 19, 2009 READING ASSIGNMENT: Yeazell pgs. 56 -72 including Notes and Practice Problems.**

**AUGUST 24, 2009 READING ASSIGNMENT: Yeazell pgs. 56 -72 including Notes and Practice Problems.**