

ACADEMIC COURSE SYLLABUS

COURSE TITLE:	CIVIL PROCEDURE	
COURSE NUMBER:	LAW 600A	Civil Procedure - 1st semester of two-semester course*
	LAW 600B	Civil Procedure - 2nd semester of two-semester course*
	LAW 600A/B*	Civil Procedure
	* Denotes all non-severable, two semester courses. Both semesters must be successfully completed to receive final A/B course grade.	
UNITS:	3 Units/Semester (must complete both for one 6-Unit final grade at the end of both semesters)	
COURSE TYPE:	Required	
PROFESSOR(S) NAME:	Hon. Anthony Wheeldin	
PROFESSOR CONTACT INFO:	Anthony Wheeldin (707) 521-6716 or awheeldi@sonomacourt.org	
SCHEDULE:	Two-semester class: Fall 2014, Wednesdays 6-9:00pm, Room # 104 and Spring 2015, Wednesdays 6-9:00pm, Room # 104	
PREREQUISITES:	Completion of first-year required coursework.	
COREQUISITES:	None	
TEXTS AND MATERIALS:	<p>Cases and Materials on Civil Procedure, 6th Edition (2012) Crump, Dorsaneo, Perschbacher & Bassett, Lexis Nexus ISBN 9780769847467 (Text);</p> <p>California Civil Procedure Handbook: Rules, Selected Statutes, and Cases and Comparative Analysis, 2014-2015 Edition, Lexis Nexus ISBN 9781630440084 (Handbook)</p>	
COURSE DESCRIPTION:	Jurisdiction – traditional and modern concepts. Federal and State subject matter jurisdiction; judgments; res judicata and collateral estoppel; forms of action, demurrer, answer, cross-actions, amendment of pleadings, joinder of actions and parties, venue of actions, process, motions, civil discovery, trial procedure, dismissals, non-suit, directed verdict.	
COURSE OBJECTIVES / ANTICIPATED LEARNING OUTCOMES:	<p>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. The second semester will introduce the student to the details of pretrial discovery, an overview of final pretrial and trial procedure. The second semester will also introduce the student to the intricacy of joinder and both issue and claim preclusion.</p> <ul style="list-style-type: none"> • Students must demonstrate the minimum level of competency for an attorney in CA in the subject matter of Civil Procedure. • Students must demonstrate they possess a minimum level of knowledge to pass a CA State Bar Examination question involving the subject matter of Civil Procedure. • The student needs to acquire a working knowledge of Civil 	

	<p>Procedure in both the state and federal courts.</p> <p>Students should expect to spend a <u>minimum</u> of two hours/per hour of instruction time on assigned readings and briefing cases. For example, a 3-hour class would require at least 6 hours of outside preparation time per week.</p>
<p>FORMAT OVERVIEW / METHOD OF INSTRUCTION:</p>	<p>Course material will be presented primarily using the Socratic method format.</p> <p>Students will be expected to participate in each and every class in both briefing and discussion.</p>
<p>EXAMS:</p>	<p>The grade will be comprised of the results of a two hour midterm Exam (25%) and a cumulative three hour final exam (75%).</p> <p>The midterm exam will be cumulative for the first semester. The final exam will be cumulative, covering all course material from both semesters.</p> <p>Two essay questions and a series of multi-state/multiple choice questions will be given for both the midterm and final exams. For the essay questions, students will be expected to identify the legal issues raised in the fact patterns, apply the appropriate rules of law, and arrive at a well reasoned conclusion.</p> <p>For the multi-state/multiple choice questions, students will be expected to choose the best of alternative answers, according to generally accepted common law views, without consideration of any statutes.</p> <p>General Policies: Exams begin promptly at 6 p.m. All students must take examinations as scheduled. It is recognized that in special circumstances and due to emergencies, it may be necessary to schedule delayed examinations. An emergency is defined as a serious illness or injury to the student or a member of his or her immediate family. Special Circumstances are defined as other situations that, in the opinion of the Dean, are sufficient to warrant delay in taking examinations. Any student taking delayed examinations <u>must have the prior written approval of the Dean.</u> No examination may be taken <u>prior</u> to the day of the regularly scheduled examination. If delayed examinations are approved by the Dean, <u>a fee of \$75 will be charged for each such exam taken.</u> Failure to complete an exam is not sufficient reason for a late or retake exam.</p>
<p>GRADING / ASSESSMENT CRITERIA/CLASS POLICIES:</p>	<p>Empire College uses the following grading system:</p> <p><u>Numerically graded classes:</u></p> <p>90 – 100 A Outstanding 80 - 89 B Superior 70 - 79 C Satisfactory 65 - 69 D Unsatisfactory 64 and Below Failing/No Credit</p>

	<p>Only numeric grades in Required courses are used to calculate grade point average.</p> <p>The grade will be comprised of the results of: Midterm examination [25% of class grade] and the Final cumulative examination [75% of the class grade].</p>				
ATTENDANCE:	<p>In the Fall Semester, the first class begins Wednesday, September 3, 2014. The last class of that semester is Wednesday, December 3, 2014. A mid-term exam will be set thereafter. A minimum of 80% attendance is required to complete the class and no more than three classes can be missed in a semester. The exam constitutes the 15th class.</p> <p>Spring 2015: The first class begins Wednesday, January 7, 2015 and the last class is Wednesday April 8, 2014. A minimum of 80% attendance is required to complete the class and no more than three classes can be missed in a semester.</p> <p>Roll will be taken at each class.</p> <p>Regular and punctual attendance is essential for the successful completion of law school.</p> <p>Make-up classes to be scheduled if needed.</p>				
ASSIGNMENTS: FALL 2014	NEW: Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.				
Week 1: 9/3/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 1-48</td> <td>n/a</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 1-48	n/a
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Week 2: 9/10/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 49-73</td> <td>Pages 73-88</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 49-73	Pages 73-88
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Week 3: 9/17/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 74-98</td> <td>n/a</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 74-98	n/a
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Week 4: 9/24/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 98-130</td> <td>n/a</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 98-130	n/a
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Week 5: 9/31/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 131-147</td> <td>Pages 91-95</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 131-147	Pages 91-95
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Week 6: 10/8/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> <tr> <td>Pages 149-180</td> <td>Pages 71-73</td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>	Pages 149-180	Pages 71-73
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Week 7: 10/15/14	<table border="0"> <tr> <td><u>Casebook</u></td> <td><u>Handbook</u></td> </tr> </table>	<u>Casebook</u>	<u>Handbook</u>		
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	Pages 180-201	Pages 105-108
Week 8: 10/22/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 209-244	n/a
Week 9: 10/29/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 245-269	Pages 43-68
Week 10: 11/5/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 269-291	Pages 69-70
Week 11: 11/12/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 292-321; 323-325	Pages 55-68
Week 12: 11/19/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 327-346	Pages 103-104
Week 13: 11/26/14	<u>Casebook</u>	<u>Handbook</u>
	Pages 346-376	n/a
Week 14: 12/3/14	FRCP vs. CCP; concepts, distinctions, applications	
Week 15: TBA	Midterm date TBA	

ASSIGNMENTS: SPRING 2015	Note ~ New : Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
Week 1: JANUARY 7, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 404-419	121-145
Week 2: JANUARY 14, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>

	Pages 419-441, 446-478	145-148
Week 3: JANUARY 21, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 478-512	n/a
Week 4: JANUARY 28, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 545-576	149-170
Week 5: FEBRUARY 4, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 579-621	176-182
Week 6: FEBRUARY 11, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 621-650	183-184
Week 7: FEBRUARY 18, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 650-688	195-204
Week 8: FEBRUARY 25, 2015	Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.	
	<u>Casebook</u>	<u>Handbook</u>
	Pages 689-730	
Week 9:	Prior to each class, students are to go to Sonoma County Court web site and read	

MARCH 4, 2015	<p>Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p><u>Casebook</u> <u>Handbook</u></p> <p>Pages 731-760 205-212</p>
Week 10: MARCH 11, 2015	<p>Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p><u>Casebook</u> <u>Handbook</u></p> <p>Pages 761-787 n/a</p>
Week 11: MARCH 18, 2015	<p>Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p><u>Casebook</u> <u>Handbook</u></p> <p>Pages n/a 223-237</p>
Week 12: MARCH 25, 2015	<p>Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p><u>Casebook</u> <u>Handbook</u></p> <p>Pages 789-833 n/a</p>
Week 13: APRIL 1, 2015	<p>Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p><u>Casebook</u> <u>Handbook</u></p> <p>Pages 851-910 n/a</p>
Week 14: 4/8/14	<p>Prior to each class, students are to go to Sonoma County Court web site and read Tentative Rulings for the Civil Division. Students are to read each of the Tentative Rulings. Students should select one of the tentative rulings and be prepared to discuss in class which ruling was selected and why.</p> <p>FRCP vs. CCP; concepts, distinctions, applications</p>
Week 15: TBA	<p>Final Exam date TBA 3-hour Final Examination – The final exam will be cumulative, covering all course material from both semesters. 3 hour exam with 2 Essay questions and MBEs</p>

Syllabus subject to change.