Initial Reading Assignment

Prior to the first class meeting, read the first chapter in the Dessem textbook. Also, please review the Syllabus and “Some Comments on Litigation,” both of which are posted on TWEN.

A hard copy of the Schedule of Topics, Reading Assignments, Quizzes, and Drafting Assignments for this course will be made available at the first class meeting, and the Schedule will also be posted on TWEN.
UNIVERSITY OF BALTIMORE SCHOOL OF LAW

Syllabus

Litigation Process
Law 817, Section 321
Fall Semester 2015

Professor: John C. Richowsky (adjunct faculty)
Telephone Number and E-Mail Address: 410-535-6106
jrichowsky@ubalt.edu

Class Schedule: Wednesday mornings, 9:00 a.m. to 11:45 a.m.

Required Course Materials: R. Lawrence Dessem, Pretrial Litigation: Law, Policy, & Practice (5th ed. 2011) and copies of or ready access to the Federal Rules of Civil Procedure and the Maryland Rules (preferably an annotated edition); additional materials will be provided by the instructor

Overview of the Course: Litigation Process is a three-credit-hour course. It fulfills the upper-level advocacy requirement. Please refer to the description of the course in the Law School catalog.

Almost all—at least 90%—of the civil actions filed each year are dismissed, settled, or decided prior to trial. Clearly, litigation involves much more than trying cases, and this statistic underscores the importance of all the “pretrial” work that litigators need to do.

Even when a case is appropriately evaluated and alternatives to litigation are adequately explored before the matter is brought into court, odds are that the outcome will be determined without a trial, on the basis of factual investigation, legal research, pleadings, discovery, negotiation, and motions. Properly utilized, the pretrial litigation process helps the parties to clarify key issues and make informed decisions on whether and how to proceed. In the relatively few cases that do go to trial, pretrial work is the primary
source of the information that the parties will present to the trier of fact, and also a key means of evaluating that information and refining legal arguments and trial strategies.

In this course, which deals with pretrial litigation, students will be introduced to the many and varied tasks that litigators engage in on behalf of clients, and they will also begin to develop a working knowledge of the statutes and court rules that govern the litigation process. Simulated case materials will be used as a basis for class discussions, exercises, and drafting assignments involving a variety of factual and legal issues. The overall goal is for students to gain an understanding of litigation as a process—a set of interrelated events unfolding over time and subject to procedural rules—in which attorneys must function as managers and counselors as well as advocates.

**Prerequisites:** The Law School catalog states the prerequisites for this course. Only students who have successfully completed all of the first-year courses can register and receive credit for this course. Questions about the prerequisites should be directed to the Office of the Associate Dean for Academic Affairs.

**Withdrawal from the Course:** Because this is an upper-level course with limited enrollment, students cannot withdraw from it without penalty after the end of the first week of classes.

**Grading:** Grades for this course will be based on three in-class quizzes involving knowledge of and problem-solving based on procedural statutes and court rules (20%); five drafting assignments calling for the preparation of pleadings, papers related to discovery matters, and motions (50%); and the quality of participation in class discussions and exercises (30%). There will be no final examination.

**Schedule of Topics and Assignments:** A schedule of topics, reading assignments, quizzes, and drafting assignments will be provided at the first class meeting; it will also be posted on TWEN.
Delay or Cancellation of Class: If the instructor will be late for or need to cancel a particular class meeting, an effort will be made to contact students ahead of time, and a notice will also be posted in the classroom or on the door to it. If classes are not held at the Law School because of weather conditions or some other emergency, there will be an announcement of and information about the closing on the University of Baltimore website and various media outlets.

Course and Classroom Policies: In accordance with Law School policy, regular and timely attendance is required. More than three (3) absences will require withdrawal from the course with a grade of “WA” or (under certain circumstances) a grade of “WF.” A student who has a compelling medical or personal reason for missing a substantial number of classes should consult with the Dean’s Office.

Arriving for a class meeting late or leaving early is disruptive and therefore unacceptable; when exceptional circumstances occur, a student should provide the instructor with an explanation for his or her lateness or let the instructor know ahead of time that he or she needs to arrive late or leave early on a particular day.

All cellphones are to be turned off during class. Laptop computers can be used in class only for class-related purposes.

Active participation in class discussions and exercises is expected and is a significant component of each student’s grade. Obviously, in order to participate and contribute in an informed and meaningful way, it is necessary to keep up with the assignments. All class discussions are to be conducted in a professional and courteous manner.
Law School Policies and Procedures: Students are reminded that their work in this and all other courses is governed by and subject to the School of Law’s “Academic Misconduct Policies and Procedures—Honor Code and Faculty Policies” and the University of Baltimore’s “Academic Integrity Policy and Procedures.” Additional information about the academic honor code can be found on the University of Baltimore website.

Information about the Law School’s policies with regard to students with disabilities can be obtained from the Office of the Associate Dean for Academic Affairs.

NOTE: This syllabus and the related schedule of topics and assignments are subject to change, as is the Law School’s academic calendar. Notice of significant changes will be provided in writing, and all students are responsible for taking account of such changes.