CIVIL PROCEDURE II  
Professor Stephen Shapiro  
Fall 2015

SYLLABUS

Professor’s Contact Information

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Course Materials

Federal Rules of Civil Procedure (with statutory material) (2013 or newer).

You can use whatever version of the Federal Rules that you used in Civil Procedure I. I think all of these come with selected portions of the U.S. Constitution and statutes relating to federal jurisdiction. If you used the free Lexis-Nexis version, I don’t think it contains the statutory material.

The first several assignments are posted on the UB web-site, along with this syllabus.

After that, all other materials will be posted on the TWEN web-site for this course. If you are registered for this course and have a Westlaw password, you should be able to access that site, once classes begin.

Except for the Federal rules, there is no casebook for this course.

Attendance

Regular class attendance is required. By school rule, a maximum number of five absences will be allowed.

Exams and Grading

Grades will be based on a final examination. The final will be closed book, except that you may bring one sheet of 8 1/2 x 11 inch paper with anything you would like to write of print on both sides. You will also be given a hand-out containing the text of any Rules or Statutes that you will need.
Assignments

Unless you are told otherwise, we will cover one assignment per class. Assignments will be posted on the TWEN cite and consist of a reading and a set of problems.

After doing the assigned reading, you should prepare a written answer to the problems and bring it to class. The majority of the class time will be spent discussing the answers to the problems.

You may work with other students in developing your answers to the problems, but your final written answers should be your own work. I will be happy to answer any questions about the problems after we have covered them in class, but not before.

I will generally not collect your written answers to the problems, but reserve the right to do so if I feel people are not making a serious effort to answer them.

Assignments

I. Topic I: Federal Subject-matter Jurisdiction
   A. Assignment 1: Introduction to Federal Subject-matter Jurisdiction
   B. Assignment 2: Federal Question Jurisdiction
   C. Assignment 3: Diversity Jurisdiction
   D. Assignment 4: Joinder of Claims and Parties
   E. Assignment 5: Supplemental Jurisdiction

II. Topic II: Personal Jurisdiction
   A. Assignment 6: Introduction to Personal Jurisdiction
   B. Assignment 7: Challenging Personal Jurisdiction
   C. Assignment 8: International Shoe Co. v. Washington
   D. Assignment 9: Long Arm Statutes
   E. Assignment 10: Limits on Long Arm Statutes
   F. Assignment 11: In rem Jurisdiction
G. Assignment 12: General Jurisdiction
H. Assignment 13: Jurisdiction by Consent or Contract

III. Topic III: Venue
   A. Assignment 14: Venue
   B. Assignment 15: Transfer of Venue

IV. Topic IV: The Erie Problem
   A. Assignment 16: Introduction to the Erie Doctrine
   B. Assignment 17: Choice of Law and the Outcome Determinative Test
   C. Assignment 18: Byrd v. Blue Ridge and Hanna v. Plummer
   E. Assignment 20: Notice and Opportunity to be Heard and Service of Process

V. Topic V: Former Adjudication
   A. Assignment 21: Claim Preclusion
   B. Assignment 22: Issue Preclusion
   C. Assignment 23: Issue Preclusion and New Parties

VI. Topic VII: Complex Joinder Issues and Class Actions
   A. Assignment 24: Permissive and Compulsory Joinder
   B. Assignment 25: Interpleader
   C. Assignment 26: Class Actions