

## Civil Procedure Checklist

### I. Jurisdiction and venue (5-6 questions)

- Federal subject-matter jurisdiction
  - Federal question
  - Diversity jurisdiction
  - Supplemental jurisdiction
  - Removal
- Personal jurisdiction
- Service of process and notice
- Venue
  - General venue rules
  - Forum non conveniens
  - Transfer

### II. Law applied by federal courts (2-3 questions)

- State law in federal court
- Federal common law

### III. Pretrial procedures (5-6 questions)

- Preliminary injunctions
- Temporary restraining orders
- Pleadings
  - Amended pleadings
  - Supplemental pleadings
- Rule 11
- Joinder
  - Joinder of parties
  - Joinder of claims
  - Class actions
- Discovery
  - E-discovery
  - Disclosure
  - Sanctions
- Adjudication without a trial
- Pretrial conference and order

### IV. Jury trials (2-3 questions)

- Right to jury trial

- Juries
  - Selection of juries
  - Composition of juries
- Jury instructions
  - Requests for jury instructions
  - Objections to jury instructions

### V. Motions (5-6 questions)

- Pretrial motions
  - Motions addressed to face of pleadings
  - Motions to dismiss
  - Summary judgment motions
- Motions for judgments as a matter of law
  - Directed verdicts
  - Judgments notwithstanding the verdict
- Posttrial motions
  - Motion for relief from judgment
  - Motion for new trial

### VI. Verdicts and judgments (2-3 questions)

- Defaults
- Dismissals
- Jury verdicts
  - Types of jury verdicts
  - Challenges to jury verdicts
- Judicial findings and conclusions
- Effect
  - Claim preclusion
  - Issue preclusion

### VII. Appealability and review (2-3 questions)

- Availability of interlocutory review
- Final judgment rule
- Scope of review
  - Scope of review for judge
  - Scope of review for jury

# Taylor 5e Procedure Checklist

**Michal Rosen-Zvi**

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