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Pretrial Litigation: In A Nutshell



Synopsis

This Nutshell focuses on the Federal Rules of Civil Procedure, covering changes that resulted from major amendments to the Federal Rules of Civil Procedure and Federal Rules of Evidence that became effective on December 1, 2000. Since state counterparts to these federal rules have been adopted in a majority of jurisdictions, the pretrial skills considered in this text are essential in both state and federal practice. Coverage includes client interviewing, attorney-client relationship, pretrial planning and investigation, the complaint, responses, discovery, interrogatories, depositions, production requests, examination, and admissions. Also explores judicial intervention into the discovery process, pretrial motion practice, and judgments. --This text refers to an out of print or unavailable edition of this title.

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Customer Reviews

This is the first book you should read after passing the bar exam. Most lawyers are initially terrified of litigation and settlement negotiations which will be relieved if you read this book. You are also going to need to read this book anyway if you are going to read more advanced trial advocacy books or attend CLE courses in trial advocacy like those offer by the National Institute of Trial Advocacy (hereinafter NITA).The Pretrial Litigation nutshell will walk you through all the steps of pretrial litigation that you were never taught in Civ Pro. Take a look at the table of contents to get the gist of the material covered. In addition, the nutshell will explain the stuff you were taught in Civ Pro and how to use the Federal Rules as part of an overall litigation strategy.The nutshell has some

bonus material that you cannot get anywhere else including: how to write a motion, oral argument, drafting affidavits, and writing pre-trial orders. In addition, the nutshell will teach you how to make a case evaluation, i.e. put a dollar figure on a settlement offer, and how to conduct yourself in settlement negotiations. I was able to get through my JD, LLM and work as a patent examiner (aka patent clerk) without being taught any of this. Senior lawyers are not teaching junior associates like they used to so it is up to you to learn the institutional knowledge from pros like the author Dessem at the University of Missouri. The only downside to the book is that it does not go into enough depth regarding negotiations, but that is understandable since that is a subject of negotiation tactics is an entire book on its own. I recommend the book "Practical Negotiating" by Tom Gosselin to get up to speed on negotiation tactics which can be brutal for the uninitiated. See link below: Practical Negotiating: Tools, Tactics & Techniques

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