UMKC School of Law ELECTIVE COURSE INFORMATION Spring 2013

COURSE: Missouri Civil Procedure 8740M

PROFESSOR: David Achtenberg

PREREQUISITES: ESSENTIAL Civ Pro I, Civ Pro II DESIRABLE: None

METHOD OF GRADING AND APPRAISAL OF STUDENT FOR GRADE:
Grades will be based on a short (two hour) final exam. Class participation may be taken into account.

COURSE BOOKS:
1. Required: Materials prepared by Professor Achtenberg
   Current decisions from the Missouri Courts’ Website
   To the extent possible, materials will be posted on the web.
   Missouri Court Rules - State – Electronic Version on Web
2. Recommended: None

RELEVANCY OF COURSE FOR CAREER PURPOSES:
Knowledge of Missouri Civil Procedure is obviously helpful for anyone who intends to practice in Missouri. In addition, the course will (a) give students the opportunity to study a procedural system that is, in several respects, quite different than the federal system and evaluate how those differences would effect their tactical choices, (b) provide experience in close reading of statutes and rules as well as the cases interpreting those texts, and (c) reinforce students’ understanding of federal civil procedure.

RELEVANCY OF COURSE FOR BAR EXAMINATION PREPARATION:
The Bar Exam no longer tests any Missouri subjects. However, the course deals with aspects of civil procedure that are not always covered in Civ Pro I or II and reinforces aspects that are covered. Those topics sometimes show up on the bar exam. (They did in 2011.)

SUMMARY DESCRIPTION OF COURSE:
Each year, this course will cover several selected aspects in which Missouri procedural law significantly differs from federal civil procedure. The class will study those topics in depth through the analysis of the relevant rules or statutes, case law interpreting those texts, and problems requiring the students to apply their learning. Topics will vary from year to year but may include venue and personal jurisdiction, pleading and motion practice, joinder of parties and claims, statutes of limitation, trial procedure, post-trial motions & appellate procedure, discovery, and preclusion.

In addition to this focused study, students will study and discuss recent Missouri Supreme Court cases—including ones decided during the semester—as a way of learning how practicing lawyers keep up to date on recent developments and as a way of identifying current topics that students may explore either individually or collectively.

Near the end of the course, there may be a brief overview of several topics that have not previously been covered in depth.
**COURSE OBJECTIVES**

Students will have increased knowledge of the Missouri Court system.

Students will have increased knowledge of the way the Missouri Court system adopts and interprets its rules of procedure, as well as the way it resolves procedural issues not governed by enacted rules.

Students will have the ability to analyze Missouri civil procedure problems in selected areas in which Missouri procedure significantly differs from federal procedure.

Students will have learned and practiced skills that will help them keep abreast of current developments in Missouri civil procedure as well as in other areas of Missouri law.