



Patt v. Donner: A Simulated Casefile for Learning Civil Procedure (University Casebook Series)

David Oppenheimer

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Contextualizing Civil Procedure

It's the Civil Procedure Professors' classic lament – litigators who are former students are always telling us that NOW they see why civil procedure is so important, and that NOW they understand it. Our challenge is to make the course accessible to our students while they are enrolled, not just after they start practicing. The Patt v. Donner case file is intended to do just that – to help civil procedure students put the course in context as they study, by requiring them to follow, and help draft the pleadings, as a simulated case unfolds from the first day of the semester to the last.

On day 1 students watch a ten-minute You Tube™ video of an initial client interview. Paula Patt, a newly arrived graduate student at UC Berkeley has been denied an apartment; she suspects it's because she's a single mother. Over the course of the semester students participate in drafting her complaint and seeking a TRO; switch sides to help complete motions to dismiss for failure to state a claim, lack of personal jurisdiction, and lack of subject matter jurisdiction; switch back to amend the complaint and move for discovery sanctions; and conclude the term with jury voir dire and a settlement negotiation. Each pleading exercise provides the student with a largely completed pleading; all they need to do is draft a few key paragraphs.

The exercises can be completed as homework or in class, as solo assignments or in teams, and with feedback from the instructor, teaching assistants, or through peer review.

The instructors' edition contains teaching notes and a completed example of each pleading exercise.

For more information and additional teaching materials, visit the companion site.

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