

**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 and one or more short papers. (Papers will consist of preparing answers to prior or projected Missouri Civil Procedure bar exam questions.) I may also have a few web-based multiple choice quizzes that may have an effect on students' grades. Finally, class participation may be taken into account.

**COURSE BOOKS:**

1.    Required:                    Materials prepared by Professor Achtenberg  
    Some reading of advance sheets will be required  
    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:**

A 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:**

As far as anyone can remember, every July Missouri Bar Exam (and every February Missouri Bar Exam except two) has included a Missouri Civil Procedure question.

**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 be given some time to simply "muck around in the data" by reading advance sheets as a way of identifying topics of interest that they may want to explore individually or as a group.

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

