

Litigation

- I. Introductory Courses - Civil Procedure I, Criminal Procedure I (1st year)
- II. Basic Courses
 - Civil Procedure II
 - Substantive Criminal Law
 - Evidence
 - Analysis of Evidence
 - Analysis of Evidence Workshop
 - Advanced Evidence Workshop
 - Litigation Skills I
 - Federal Courts
- III. Related Area Courses
 - Conflicts of Law
 - Litigation Skills II
 - Clinical Placements
 - Administrative Law
 - Alternative Dispute Resolution
 - Mediation
 - International Commercial Arbitration Seminar
 - International Arbitration Workshop
 - Advanced Criminal Procedure
 - New Directions in Lawyering
 - Transnational Litigation and Arbitration
 - Florida Appellate Practice
 - Issues in Appellate Law Seminar
 - Trial Competitions
 - Advanced Moot Court Workshop
 - Federal Practice and Procedure Workshop
 - Contemporary Issues in Class Action Litigation
 - Scientific Evidence Seminar

Students interested in litigation need to put their course choices within several contexts. First, they need to recognize that litigation practice is broader than trial practice. At many large firms, the preparation of court documents and counseling of clients, especially to avoid litigation, will keep younger lawyers at arm's length from actual courtroom experience. Second, certain kinds of practice, for example commercial law, require only episodic trial experience, while others, for example personal injury representation, may emphasize frequent trials. Students are especially urged to consider judicial clerkships to gain further insight into their future plans. Third, it would be very difficult to take nearly all the courses offered, without foregoing a more important sound general legal education. The conclusion should be that students need a strong background in the substantive law that will be the subject of their litigation at least as much as the skills training they will need.

Litigation, cont.

In the second year, students should take Civil Procedure II, Evidence or Analysis of Evidence, Substantive Criminal Law, and U.S. Constitutional Law II. These courses will be helpful background, and Civil Procedure II and Evidence or Analysis of Evidence are (at least simultaneous) prerequisites for Litigation Skills I. Administrative Law also should be considered in the second year, along with Business Associations, Commercial Law and Federal Income tax. In the third year, students should add Federal Courts and probably Conflicts of Law (crucial in dealing with transnational litigation) as capstone courses. Additionally, students should consider Alternative Dispute Resolution or Mediation, International Commercial Arbitration, Transnational Litigation, and seminars on Rico, Criminal Evidence Workshop, or Litigation of Taxation.

For students wishing the maximum amount of skills training, successful completion of Litigation Skills I is a prerequisite for Litigation Skills II, and or Clinical Placement. Litigation Skills I is a six credit, one semester basic training course offered in the Fall and Spring semesters. For purposes of degree requirements, the course is counted as one workshop. Litigation Skills II is a three credit advanced course focusing on either criminal or business litigation.

Careful course planning is most important for clinical placement because of the large numbers of credits involved in meeting graduation distribution requirements plus the twelve credits required by Litigation Skills I and the Clinical Placement. Additionally, students working in such agencies as the Public Defender's office or the States Attorney's office should arrange their schedules so they can be available in the office when the practice requires. The Clinical Placement requires six credits and is available in approximately 20 agencies. This includes 220 hours work at the agency. Students spend an average sixteen hours per week during the Fall and Spring semesters, to receive credit, and are not permitted to work while they are enrolled in Clinical Placement. Certain agencies have entered into work study contracts with the School of Law; qualified students may work 220 hours for compensation and enroll in Clinical Placement for three credits. This year we have also added a course for those students who wish to do a clinical placement in non-local jurisdictions.

Professors Anderson, Graham, Mourer and Newman are available to answer questions in this area.