

Civil Procedure I  
Professor Michael Solimine

Comments about the course

1. seating chart (will be handed out in the second class)
2. casebook and rules supplement
3. main syllabus
4. distribution of mini-syllabi and TWEN site
5. grading (based on class attendance, class participation, and final open-book exam)
6. study aids (recommended, not required, will not be addressed in class)
7. laptops are ok for note-taking, but not for in-class use of the internet, or other non-class activities
8. contacting me ([michael.solimine@uc.edu](mailto:michael.solimine@uc.edu)); office hours

• \* \* \*

Introduction (pp. 1-26 of the casebook)

1. Substance v. procedure; dangers of ad hoc procedure (p.1)
2. Band's Refuse Removal, Inc. v. Borough of Fair Lawn (p.3)  
The substance (i.e., the merits) of the case is, well, extremely boring (unlike civil procedure itself). So, why did our casebook authors put an old, state court case like this in the introduction? Compare the notes on pp. 10-12.
3. Is a disinterested and passive judge an attribute (at least in theory) of the American judicial system? Of the Continental judicial system? pp. 12-18.
4. As note 4 on p.22 points out, the vast majority of civil cases settle (as opposed to what? what happens to the minority of cases that don't settle?). (You will address the settlement process, and so-called Alternative Dispute Resolution (ADR) generally, more directly in Civil Procedure II, and in other courses.) Almost all American trial judges proactively encourage civil litigants to settle--why? If that's a good thing for the judges to do (is it? see pp. 22-24 note 5), what did the trial judge in Kothe (p.18) do wrong?
5. Procedural complications of our federal system (pp. 25-26).