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Designed to introduce American civil litigation and process to a wide audience: foreign LL.M. students, beginning American law students, undergraduates interested in law, and foreign lawyers, judges, and law professors. This succinct new paperback *Litigating in America: Civil Procedure in Context* explains the institutional bases and legal meaning of our procedural system, and captures American civil process at a time of change. It presents American civil procedure from several vantage points: the procedural doctrine that has evolved over time; the practical implications of that doctrine; the social context in which the doctrine grew, is used and abused; and the global context of how other systems may have made different choices. It is an excellent supplement to any casebook.

From divorce proceedings to personal injury disputes to lawsuits over busing, affirmative action, and labor relations, most conflicts in American society may eventually find their way into a courtroom. Such civil conflicts, which do not involve violations of the criminal code, encompass both actions between private parties and public controversies. This clear and direct book by two distinguished professors of law describes and analyzes civil litigation in the United States. Geoffrey C. Hazard, Jr., and Michele Taruffo discuss both specific details and broader themes of American civil litigation, explaining (without legalese) jury trial, the adversary system, the power of courts to make law as well as to "declare" it, and the role of civil justice in government and in the resolution of controversial social issues. Hazard and Taruffo examine the stages of civil procedure, including the lawyers' role in: preparing and presenting cases; the pretrial, pleading and discovery, trial, and appeal process; and procedural variations. They explore the historical evolution of common law and procedure and compare American civil procedure with that in other modern societies in Europe, Latin America, and Japan. They conclude by discussing the economic, political, and moral constraints on litigation, possible innovations to the process, and the political significance of public access to civil justice.

"Burke drills deep into America's unique culture of litigation and is rewarded with a powerful insight: it is not the public or even lawyers that are so darn litigious, but American law itself. This meticulous, dispassionate book stands not only to advance the debate but to hope to reshape it." Jonathan Rauch, author of *Government's End: Why Washington Stopped Working* "Lawyers, Lawsuits, and Legal Rights is a fascinating study of the American penchant for public policies that rely on lawsuits to get things done. Burke's analysis is insightful and original. This book compellingly shows that litigious policies have deep roots in our Constitution, culture, and politics." Charles Epp, author of *The Rights Revolution: Lawyers, Activists, and Supreme Courts in Comparative Perspective* "Burke's authoritative book demonstrates that the highly litigious American system is not an isolated anomaly but in fact fits in with deeply-rooted elements of American political culture. Where citizens of other countries rely on expert or bureaucratic judgment to resolve disputes, Americans turn to the courts. Equally novel and compelling, *Lawyers, Lawsuits, and Legal Rights* marshals an impressive set of evidence and delivers a refreshingly well-written look at the state of American litigation." Frank R. Baumgartner, co-author of *Agendas and Instability in American Politics*

International Civil Litigation in United States Courts is the essential, comprehensive law school text for the current and future international litigator or international corporate lawyer. Covering all the topics discussed in competing texts and more, this casebook seamlessly combines international litigation, conflict of laws, and comparative civil procedure. This Sixth Edition includes excerpts and updated discussion of recent U.S. court decisions and legislation relating to a wide range of private and public international law topics, including foreign sovereign immunity, choice of law, antisuit injunctions, legislative jurisdiction, service of process on non-U.S. citizens, international discovery, foreign judgment enforcement, and international arbitration. Key Features: Updates on recent US Supreme Court and other significant U.S. court decisions, including *Daimler AG v. Bauman*, *BNSF Ry. Co. v. Tyrrell*, *Bristol-Myers Squibb Co. v. Superior Court of Cal.*, *Water Splash, Inc. v. Menon*, and more. Updated discussion of international law and national law from Europe, the Middle East, and Asia. Revised Notes on recent developments and current topics such as terrorism, proof of foreign law, and judicial jurisdiction.

Civil Law and Litigation for Paralegals is a comprehensive text designed specifically for paralegal civil litigation courses. Author Neal Bevans not only teaches the basics of civil litigation, but also gives students the opportunity to learn skills they will use in practice. In a balanced approach, Bevans covers all the key topics paralegals need to know in an easy-to-read and engaging style that utilizes numerous examples and illustrations but never overwhelms the student. The text provides students with an in-depth analysis of a wide variety of civil cases, beginning with laying out the basic foundation of the

American legal system. It proceeds through the investigation and implementation of a civil case, and follows the case through to appeal. The text balances the theoretical underpinnings of the law with the practical examples and hands-on experience that all students need to completely understand the topic. The helpful pedagogy throughout the book and a comprehensive teaching package make class preparation as easy as possible. Features: Clear introduction to the fundamentals of civil litigation for paralegal students. Provides students with an in-depth analysis of a wide variety of civil cases, laying out the basic foundation of the American legal system, proceeding through the investigation and implementation of a civil case, and following the case through to appeal. Designed to help prepare students for the practical world of divorces, car wreck cases, and medical malpractice claims that they will see every day in civil practice. Each chapter presents students with examples of the important role that paralegals play in every stage of civil litigation, from client intake to bringing an appeal. Understandable writing style with strong pedagogy, resulting in a teachable and accessible text. Each chapter includes Practice Pointers, Search Suggestions, Tech Topics, and Legal Legwork boxes, along with case excerpts, forms, and ethics. Helpful pedagogy includes Chapter Objectives that focus learning and review, Boldfaced key terms and marginal definitions for convenient reference, Review questions at the end of each chapter, and references to web sites that facilitate legal research

This text on transnational civil litigation presents the basic legal doctrine within a larger, illuminating conceptual framework. The book organizes the subject around three basic concepts: national sovereignty, individual rights, and political accountability. After highlighting the unique problems of litigation across national boundaries, the book explores the essential role of individual rights, especially due process and substantive human rights. It then examines the role of the political branches of government in enacting the statutes and treaties that govern transnational litigation. These three concepts play out in the following chapters: Introductory chapters on jurisdiction in three different senses: personal jurisdiction; prescriptive jurisdiction (especially extraterritoriality); and federal subject-matter jurisdiction. A chapter on foreign sovereigns as litigants, concerned with sovereign immunity and the act of state doctrine. Two chapters on procedure in pending cases, one on service of process and discovery, and another on parallel proceedings, concerned with forum non conveniens, stays, and anti-suit injunctions. Two final chapters addressed to the resolution of disputes, through recognition of foreign judgments and enforcement of arbitration agreements and awards.

Twenty years ago, Americans saw lawsuits as a last resort; now they're the world's most litigious people. One of the most discussed, debated, and widely reviewed books of 1991, *The Litigation Explosion* explains why today's laws encourage us to sue first and ask questions later.

While the right to have one's day in court is a cherished feature of the American democratic system, alarms that the United States is hopelessly litigious and awash in frivolous claims have become so commonplace that they are now a fixture in the popular imagination. According to this view, litigation wastes precious resources, stifles innovation and productivity, and corrodes our social fabric and the national character. Calls for reform have sought, often successfully, to limit people's access to the court system, most often by imposing technical barriers to bringing suit. Alexandra Lahav's *In Praise of Litigation* provides a much needed corrective to this flawed perspective, reminding us of the irreplaceable role of litigation in a well-functioning democracy and debunking many of the myths that cloud our understanding of this role. For example, the vast majority of lawsuits in the United States are based on contract claims, the median value of lawsuits is on a downward trend, and, on a per capita basis, many fewer lawsuits are filed today than were filed in the 19th century. Exploring cases involving freedom of speech, foodborne illness, defective cars, business competition, and more, the book shows that despite its inevitable limitations, litigation empowers citizens to challenge the most powerful public and private interests and hold them accountable for their actions. Lawsuits change behavior, provide information to consumers and citizens, promote deliberation, and express society's views on equality and its most treasured values. *In Praise of Litigation* shows how our court system protects our liberties and enables civil society to flourish, and serves as a powerful reminder of why we need to protect people's ability to use it. The tort reform movement has had some real successes in limiting what can reach the courts, but there have been victims too. As Alexandra Lahav shows, it has become increasingly difficult for ordinary people to enforce their rights. In the grand scale of lawsuits, actually crazy or bogus lawsuits constitute a tiny minority; in fact, most anecdotes turn out to be misrepresentations of what actually happened. In *In Praise of Litigation*, Lahav argues that critics are blinded to the many benefits of lawsuits. The majority of lawsuits promote equality before the law, transparency, and accountability. Our ability to go to court is a sign of our strength as a society and enables us to both participate in and reinforce the rule of law. In addition, joining lawsuits gives citizens direct access to governmental officials-judges-who can hear their arguments about issues central to our democracy, including the proper extent of police power and the ability of all people to vote. It is at least arguable that lawsuits have helped spur major social changes in arenas like race relations and marriage rights, as well as made products safer and forced wrongdoers to answer for their conduct. In this defense, Lahav does not ignore the obvious drawbacks to litigiousness. It is expensive, stressful, and time consuming. Certainly, sensible reforms could make the system better. However, many of the proposals that have been adopted and are currently on the table seek only to solve problems that do not exist or to make it harder for citizens to defend their rights and to enforce the law. This is not the answer. *In Praise of Litigation* offers a level-headed and law-based assessment of the state of litigation in America as well as a number of practical steps that can be taken to ensure citizens have the right to defend themselves against wrongs while not odiously infringing on the rights of others.