Federal Civil Procedure Map

Personal Jurisdiction

1. **Statutory Basis**
2. **Constitutional Basis**
    a. **Contact**
    b. **Relatedness**
    c. **Fairness**

Specific v. General PJ

Specific pj
General pj

Notice and Service of Process

Summons

Methods of serving an individual
1. **Personal service**
2. **Substituted service**
3. **State-law methods**

Serving a business or organization

Service in a foreign country

Waiver of service

Proof of service

Subject-Matter Jurisdiction

SMJ

Diversity jurisdiction
1. **Complete diversity**
2. **Amount in Controversy (AIC)**

Citizenship
- **Natural person**
- **Corporation**
- **Unincorporated association**
- **Decedents, minors, and incompetents**
- **Class action**
- **Alienage**

Federal-question Jurisdiction

Removal and Remand

Removal

Who must join in the removal?

Limits when removal is based solely on diversity

Venue for removal

Remand

Supplemental Jurisdiction

Analysis

Requirements

Diversity Limitation for Supplemental Jurisdiction

Law Applied in Federal Court: Erie Doctrine

1. **Federal law on point**
2. **No federal law on point; substantive issue**
3. **Other issues: outcome determinative, balance of interests, forum shopping**

Venue

Proper Venue

Residence for Venue Purposes
- **Individual**
- **Business entity**
- **D outside the US**

Transfer- Original Venue is Proper

Forum-selection clause (FSC)

Transfer- Original Venue is Improper

Forum Non Conveniens

Pleadings

Complaint

D's Response and Rule 12 Motions

Rule 12(e), more definite statement

Rule 12(f), motion to strike

Waived motions unless in Rule 12 Response

May be raised later

Answer and Affirmative Defenses

Amended and Supplemental Pleadings
- **P**
- **D**
- **Variance**
- **Relation back**
- **Supplemental pleading**

Rule 11 Continuing Certification

Sanctions

Safe harbor

Claim and Issue Preclusion

Claim preclusion

Issue preclusion

Joinder- Every claim in federal court must have SMJ

A. Claim joinder by P

B. Permissive party joinder

C. Required parties (necessary and indispensable)
1. **Is the absentee required?**
2. **Is joinder feasible?**
3. **If joinder is not feasible, should the case proceed?**

D. D's claims (SMJ required for each)
Counterclaims
- **Compulsory**
- **Permissive**

Crossclaims

E. Impleader

F. Intervention

G. Interpleader

H. Class Actions
Types of Class Actions
- **Type 1- Prejudice**
- **Type 2-Injunctive/Declaratory Relief**
- **Type 3-Common questions/damages**

Notice and opt-out

SMJ and Class Actions
CAFA

Discovery

Initial disclosures

Expert disclosures

Pretrial disclosures are due at least 30 days before trial

Discovery tools **depositions**
interrogatories
RFPs
RFAs
physical/mental exam

Additional Discovery Rules

Scope

Work product

Asserting protection

Discovery disputes

Can't spoil ESI

Rule 26(f) conference

Adjudication without Trial

Preliminary injunction

TRO

Voluntary dismissal

Default

Default judgment

Setting aside

Motions During and After Trial

JMOL

RJMOL

Motion for New Trial

Remittitur

Additur

Relief from Judgment Chart

Appeals