

■ PREFACE

After decades of teaching Civil Procedure, we became convinced that students need a text that offers more than a series of cases followed by dense post-case notes and questions. Simply put, we concluded that students need a *coursebook*, not simply a *casebook*.

Based on this premise, we developed a number of features in this book that should help you to place the material in context. For example, each chapter begins with a brief summary of contents to orient you to the topics covered in the chapter. Moreover, each case begins with an introduction that provides context for the opinion and offers factual and legal background to make the case more accessible. The case introductions also pose questions for you to consider *before* you read each case to help you focus on the important aspects of the opinion.

Following each case, we provide textual notes and questions, but, unconventionally, *we answer almost all of the questions we pose*. We believe that the typical unanswered casebook question is ineffective. If you think that you know the answer, you have no way of confirming it. If you do not know the answer, the authors have lost an opportunity to educate you. Unanswered questions and dense post-case notes that require you to consult outside authorities often produce more frustration than understanding, so we have largely avoided them.

We also have adopted a number of other techniques that make this book more user-friendly. We have written short chapters of manageable scope. We have used a different font and a shaded border for the text of opinions, so you will know when you are reading original material as opposed to our text. For some especially difficult cases, we have inserted bracketed editorial guidance into the case itself. We include multiple choice questions to test your understanding of new concepts and, in keeping with our pedagogical approach, we include our analyses of these questions. We also have adopted another simple feature that our students appreciate: a summary of key concepts at the close of each chapter.

The coursebook will also improve your capacity for legal analysis. For example, by highlighting the subtle distinctions between the best answer to a multiple-choice question and “near misses,” the coursebook will help you to develop the ability to make fine distinctions in applying complicated concepts. We also offer several detailed questions for more in-depth treatment, followed by a sample “issue analysis” so that you can see how to analyze a sophisticated problem.

We expect that the coursebook will hone your analytical skills, give you a rich understanding of civil procedure, and provide important insights into the role that procedure plays in the American system of justice.

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