

CIVIL CASE LAW

Depending on their expertise, civil litigation attorneys can handle civil lawsuits that involve individuals, corporations or even public agencies. Common civil litigation areas that attorneys practice in include:

- Contract disputes / breach of contract
- Obligations disputes
- Property disputes or damages
- Torts (a physical or psychological wrong or damage against another person whether intentional or not), which result in harm, including negligence, libel, and accidents
- Succession disputes
- Car accidents
- Class action matters
- Administrative law matters
- Business disputes
- Commercial law disputes
- Complaints against the city when the city has declined settlement
- Temporary restraining orders
- Minor's Compromise

Civil Cases

- A complete civil trial typically consists of six main phases
- Choosing a Jury
- Opening Statements
- Witness Testimony and Cross-Examination
- Closing Arguments
- Jury Instruction
- Jury Deliberation and Verdict



STEPS INVOLVED IN CIVIL CASE

Cause of Action

- Dispute between (among) parties, cause of action arises Filing
- Case (complaint) filed in Superior Court Clerk's office
- Case number assigned by Clerk Service
- Service of summons and complaint upon defendant(s) by sheriff, constable, or any individual 18 years of age or older who is not a party to the action

Answer

- Defendant(s) must respond to complaint (file an answer) within 20 days of date of service
- If no answer filed within 20 days, plaintiff may obtain default judgment against defendant for amount claimed in complaint

Discovery

- Discovery process between (among) the parties, during the course of which various motions, for example motions to compel production of documents, or motions for more responsive answers, may be filed

Assignment to Trial Pool

- Plaintiff or defendant files motion to assign case to the trial calendar
- Motions (these may be filed at any time before entry of judgment and are in addition to those outlined under "Discovery" above)
- Motion for judgment as a matter of law may be deemed appropriate at any point in the proceedings



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