



Thomas M. Cooley Law Libraries' Research Guide Series

CIVIL PROCEDURE: A Selective Research Guide

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Introduction: This guide is intended to assist in the research of Civil Procedure by both students and practitioners using the Cooley library. It covers both general and specific topics in Civil Procedure; physical materials are largely confined to the Cooley library system, but online materials cover both reliable Internet sources and Lexis and Westlaw databases. Due to the annually-updated nature of Civil Procedure law, this guide will generally focus on the most current materials available. With regards to availability at Cooley's various branches, "L" will denote Lansing, "AH" Auburn Hills, "GR" Grand Rapids, and "AA" Ann Arbor.

I. FEDERAL TREATISES/GUIDES

Federal Practice and Procedure by Charles A. Wright

Location: [KF8840 .W68](#) (L, AH, GR, AA)

Exhaustive treatise on the full breadth of Federal procedure topics. Volumes four through twelve cover civil procedure issues. Available on Westlaw through the database [FPP](#).

Federal Rules Service

Location: [KF8830 .F43](#) (L, AH, GR, AA)

Monthly-updated reporter providing cases involving issues in the FRCP. Published by West and using the same headnote system as the other West reporters.

Moore's Federal Practice by James W. Moore

Location: [KF 8820 .A313 M632](#) (L, AH, GR, AA)

Practice-oriented guide to Federal Court practice; volumes one through twelve cover Civil Procedure. Organized by each rule of the FRCP. Available online through LexisNexis in the database [Moore's Federal Practice-Civil](#).

Case Books

Various casebooks are available under the call number KF 8840.

II. MICHIGAN TREATISES/GUIDES

Civil Trial from Start to Finish: A Practical Approach to Trying a Civil Case in Michigan by Margaret Costello

Location: [KFM4738 .Z9 A52 2006](#) (L, GR)



Part of a state-by-state series published by the National Business Institute, a CLE organization. Provides a walkthrough of particular steps in trial practice unique to Michigan.

Keys to Successful Pre-trial Preparation in Michigan by Gary A. Miller & Rebecca S. Walsh

Location: [KFM4737 .Z9 M54 2005](#) (L, AH, GR)

Another practice aid published by the National Business Institute, this time focusing on the pre-trial aspects of Civil Procedure.

Michigan Civil Procedure edited by Kathleen Lang et al.

Location: [KFM4730 .M49](#) (L, AH, GR)

Annually-updated looseleaf produced by the Institute of Continuing Legal Education. Written in its entirety by Michigan judges and litigators; full of useful, practical advice. Accompanying Forms CDs can be checked out from the Reserve Desks at all three listed locations.

Michigan Court Rules Practice by the Michigan Supreme Court

Location: [KFM4729 .A195](#) (L, AH, GR, AA)

Annotated compilation of the Michigan Rules of Court. Regularly updated with new annotations and rule changes.

Michigan Pleading and Practice, 2nd Ed.

Location: [KFM4730 .M52](#) (L, AH, GR, AA)

Multi-volume treatise explaining the Michigan Court Rules in great depth. Does not actually contain the rules, but references them and relevant cases repeatedly. Updated annually via pocket part. Available on Westlaw in the directory "[MI – PP](#)".

III. NUTSHELLS/HORNBOOKS/STUDY AIDS

Civil Procedure in a Nutshell by Mary Kay Kane

Location: [KF8841 .K36 2007](#) (L, AH, GR, AA)

Nutshell-series entry for civil procedure. Contains layman-oriented explanation of civil procedure in a pocket-sized format. Excellent source for a quick overview and simple explanation of the law, but unsuitable for deeper analysis and understanding.

Civil Procedure, 4th Ed. (Hornbook) by Jack H. Friedenthal, Mary Kay Kane, & Arthur R. Miller.

Location: [KF8840 .F72 2005](#) (L, AH, GR, AA)

This installment of West's Hornbook series serves as a complement to the civil procedure casebook by Friedenthal, et. al., published by West. All four locations keep the most recent edition of this hornbook in the Course Reserves.

Understanding Civil Procedure, 4th Ed. By Gene R. Shreve and Peter Raven-Hansen

Location: [KF8840 .S484 2009](#) (L, AH, GR, AA)

LexisNexis practice aid running the gamut of civil procedure issues, with explanations of and commentary on specific rules. Structured by topic/concept (like a casebook) rather than by rule from the F.R.C.P. Maintained in Course Reserves at each location.



The Glannon Guide to Civil Procedure by Joseph W. Glannon

Location: [KF8841 .G59 2009](#) (L, AH, GR, AA)

Study aid written as a series of multiple choice questions, with analysis and conclusions following each question. Overall, designed more as an aid to law students preparing for exams (be they law school or bar) than actual practicing attorneys. Maintained in Course Reserves at each location.

A Student's Guide to the Federal Rules of Civil Procedure, 12th Ed. By Steven Baicker-McKee, et. al.

Location: [KF8816 .A31 S88](#) (L, AH, GR, AA)

Essentially a very heavily-annotated version of the FRCP, with an initial section dealing with "rules" not covered by the FRCP, such as the *Erie* doctrine. As the title suggests, discussion is more academic than practical.

Civil Procedure Examples & Explanations by Joseph W. Glannon

Location: [KF8840 .G58 2008](#) (L, AH, GR, AA)

Popular study aid for civil procedure. It is extremely detailed and arranged by subject. Highly recommended for the sheer breadth of its content. The most recent edition will be in the Course Reserves, but older editions may be found in the general collection of each location.

Questions & Answers: Civil Procedure by William V. Dorsaneo, III and Elizabeth G. Thornburg

Location: [KF8841 .D67 2004](#), [2007](#) (2004 available at L, AH, GR; 2007 at L, GR, AA)

A study guide structured as a series of multiple choice questions, arranged by topic. Very little explanation is given for each answer, however; it resembles a BarBri practice exam. Recommend for final pre-exam preparation.

IV. FORMS

AmJur Pleading and Practice Forms

Location: [KF8836 .A45](#) (L, AH, GR, AA)

Multi-volume formbook produced as a complement to the American Jurisprudence encyclopedias. Contains a variety of forms arranged by topic (in the same format as AmJur proper) complete with commentary and guidelines. Available on Westlaw at the database [AMJUR-PP](#).

Michigan Civil Practice Forms by Harold B. Clark

Location: [KFM4730 .A65 C53](#) (L, AH, GR, AA)

Form templates for Michigan civil practice, arranged alphabetically by subject. They provide references and annotations for further research on each given subject, making this resource ideal for an attorney filing a case on a given topic for the first time.

Michigan Litigation Forms and Analysis by Theodore E. Hughes

Location: [KFM4730 .A65 H84 2006](#) (L, AH, GR, AA)

Provides templates for paperwork (motions, pleadings, etc.) for a variety of specific types of civil actions in Michigan. The analysis portion enumerates what each form actually "says"; rather, provides a discussion of what facts are asserted by each form.



V. SPECIFIC TOPICS

Michigan Model Civil Jury Instructions by the Michigan Supreme Court

Location: [KFM4742.6 .A65 M532](#) (L, AH, GR)

Annually-updated, practice-oriented looseleaf service providing model jury instructions for common civil causes of action. Two volumes.

Michigan Nonstandard Jury Instructions – Civil

Location: [KFM4742.6 .S833 2010](#) (L, AH, GR, AA)

Single-volume annual resource discussing how to submit additional jury instructions and explanations of specific points of law that extend beyond required instructions for a given cause of action. Published by West and cross-references other West products, such as Key Numbers and American Law Reports annotations. Available on Westlaw in the database [MINSJICV](#).

Pretrial by Thomas Mauet

Location: [KF8900 .M386 2008 \(Reserve\)](#) (L, AH, GR, AA)

Particularly good casebook on the development of pre-trial skills. Deals with discovery, interrogatories, depositions, and so forth.

Pretrial Litigation in a Nutshell by R. Lawrence Dessem

Location: [KF8900 .D49 2008](#) (L, AH, AA; GR has 2001 edition)

The Nutshell series entry devoted to pretrial litigation. Written in the same accessible style as all nutshells. Good for a general overview from a lay perspective.

Sanctions under Federal Rule of Civil Procedure 11 by Jerold Solovy

Location: [KF8887 .Z9 S34 1990a](#) (L)

Discussion of possible punishments and sanctions imposed by courts on attorneys for frivolity and harassment as per Rule 11. Contains a discussion of potential sanctions as well as traditionally objectionable behaviors that lead to said sanctions.

VI. JOURNALS

Given the non-substantive and extremely general nature of Civil Procedure, specific journals dedicated to the topic are rare, and it comes up more often as a discussion of the procedural aspects of given areas of substantive law in journals dedicated to those areas, or as stand-alone articles in general academic law journals.

However, articles on Civil Procedure are still quite common; such articles can be found by searching HeinOnline or LegalTrac with appropriate search terms.

Tennessee Journal of Practice & Procedure

1997.2002. (Tenn. J. Prac. & Proc.)



VII. INTERNET RESOURCES

Since the norms of State and Federal Civil Procedure require extensive paperwork as well as a level of ready reference equal to any other area of law, numerous Internet resources exist to assist the law student and practicing attorney, ranging from government resources to materials produced by the bar to compilations available on LexisNexis and Westlaw.

ABA Section of Litigation

<http://www.abanet.org/litigation/home.html>

Contains a number of ABA-published and supported resources, such as publications, internships, podcasts, ABA standards, and checklist guides.

Legal Information Institute: Federal Rules of Civil Procedure

<http://www.law.cornell.edu/rules/frcp/>

The LII maintains the FRCP for free on its site, though it contains no annotations. Note that as of this writing, the LII has the 2009 rules posted; however, other rule sets have recently been updated and the FRCP will likely follow.

Federal Court Locator by the Villanova School of Law

<http://www.law.villanova.edu/Library/Research%20Guides/Federal%20Court%20Locator.aspx>

This portal contains links to the webpage of every Federal court in the country. By following these links, one can find out about variations on the rules specific to given circuits or districts.

Federal Judicial Center

<http://www.fjc.gov/>

Federally sponsored organization that monitors the workings of the court system in America. Contains an extensive educational section geared towards staying abreast of new developments in practice, such as electronic discovery.

Michigan Court of Appeals – Michigan Court Rules

<http://courtofappeals.mjud.net/rules/>

LexisNexis Databases

[Bender's Federal Practice Forms](#) (FDPRAC)

[Bender's Forms of Discovery Interrogatories](#) (BFDISC)

[Federal Rules Annotated](#) (USRULE)

[Federal & State Rules of Court, Combined](#) (ALLRUL)

[Civil Procedure Law Review Articles, Combined](#) (CIVPLR)

WestLaw Databases

[Federal Rules](#) (US-RULES)

[Federal Rules Update Orders](#) (US-RULESUPDATES)

[State Court Rules](#) (RULES-ALL)

[State Court Rules Update Orders](#) (RULESUPDATES-ALL)

Individual States Rules – state code-RULES (e.g., [MI-RULES](#), [CA-RULES](#), etc.)

[Model Jury Instructions Combined](#) (JI-MODEL)

[Federal Procedural Forms](#) (FEDPROF)

