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**CIVIL**

“Bulk” of the law, covers many different areas, divorce, personal injury, contract, etc., Usually between individual entities, Goal is usually money, authority, or performance

**STAGE 1: PRE-LAWSUIT**  
-Before the relationship deteriorates, and court becomes necessary.

**LAWYER WORKS ON:**  
-Drafting clear and understandable agreement reflecting each sides obligations  
-Advises on legally sound practices, and litigation chances  
-Negotiates to avoid a court case  
-Advocates for alternative resolution mechanics if desired

**STAGE 2: SUIT FILED**

**PLAINTIFF’S ATTORNEY**  
-Drafts complaint-first presentation of the controversy to the court  
-Files the case  
-Schedules the 1<sup>st</sup> hearing  
-Supervises Service of notice to Defendants

**DEFENDANT’S ATTORNEY**  
-Determines how to respond  
-Files motion to dismiss if appropriate  
-Counter sues if appropriate  
-Answers the complaint

**COUNTERSUIT**  
**BOTH ATTORNEYS DO EVERYTHING**

**BOTH ATTORNEYS: Continue Negotiating Settlement in Lieu of Trial and Advising on legal matters**

**STAGE 3: PRE-TRIAL**  
(A few months to years)

**Motion Practice**  
Motion Types:  
-Scheduling-Client needs to travel, this date doesn’t work  
-Strategic-bar or admit evidence, limiting use of evidence at trial,  
-Ending case-Transfer to another court, dismiss the case, etc

**Discovery**  
-Gathering Evidence  
-Interrogatories-  
Written Questions  
-Deposition-  
Interviews with  
Witnesses  
-Document Requests-

**Case Building**  
-Creating and adjusting theory of case based upon evidence  
-Plan case presentation

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**STAGE 4: TRIAL**  
(A few fours to a few weeks)  
-Different burdens of proof  
-Bench-before Judge  
-Jury-before your peers

**Advocacy at its finest.**  
-Present theory of case  
-Enforce evidentiary rules  
-Protect Record for Appeal  
-Argue fore of against assertions  
-Present Evidence (Direct, Cross Exam)  
-Get exhibits admitted