

Common Law / Civil Law Comparisons

	Common Law	Civil Law
Beginning lawsuit and notification of opponent	Lawyer	Court
What evidence is in case	Lawyer (judge only if problem)	Judge controlled
Investigation, witness pre-trial	Yes	No
Who knows the law; who finds the law	- Lawyers find and present law to the judge	- Judge knows the law
Issues	- Lawyer's job (motions)	- Series of meeting between parties and maybe judge -
Trial conduct; examination of witnesses	- By lawyers - Judge is referee - Jury is audience	- By the judge
Subject area problems	- Many resolved through litigation	- Resolved through litigation -
Legal Writing	- Many forms and formats - Persuasive/analytic - Synthesis of law - Use of previously decided cases	- Drafting of documents - Synthesis/analysis - Applied to code/law - <u>Describe</u> cases and statutes

Subjects/Areas of Law

Ares that affect all subjects:

- Civil Procedure (civil cases)
- Criminal Procedure (criminal cases)
- Court Rules
- Evidence
- Administrative Law
- Taxation
- Conflict of laws
- Professional Responsibility
- Ethics
- Cyberlaw
- Negotiation/Mediation
- Legal History

Criminal

Law
Procedure

Constitutional

Human Rights
Gender Rights
Employment Law
Civil Rights

International

Comparative law
Cyberlaw
Human Rights

Economic

Labor Law
Contracts
Copyright
Secured Transactions

Sales

Partnerships

Corporations
Commercial Paper

Bankruptcy
IP
Trademark
Entertainment
Sports

Personal

Torts
Trademark
Copyright
Property
Trust/Estates

Wills

Bankruptcy
Labor/Employmentn

Immigration
IP
Domestic
Relations